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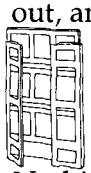

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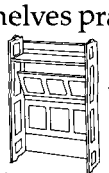

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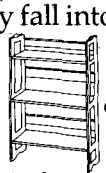

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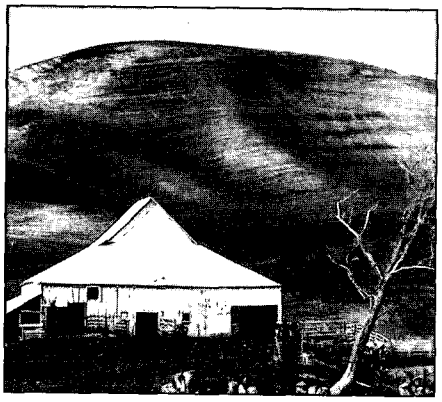

FEATURES

22
Technology, Ecology, and the American Farmer
Karl Zinsmeister
The federal government underwrites ecological foolishness, fueling antagonism between farmers and environmentalists.

31
Psychiatry in the Age of AIDS
Thomas Szasz
In AIDS, psychiatrists see "real opportunities" to enhance their status.

EDITORIALS

4
Disabled Politics
Virginia I. Postrel

6
The Suffering of Innocents
Jacob Sullum

8
In Whose Name?
Charles Oliver

SPECIAL BOOK SECTION

35
The Best Things in Life
Charles Murray
Robert Nozick tells us what freedom is good for.

37
A Tokyo Tocqueville
Paul H. Weaver
Karl van Wolferen draws a scary picture of the world's dominant economic power.

40
License to Thrill
Martin Morse Wooster
The masters of the spy genre are good reporters as well as good novelists.

43
Passion over Prudence
Steven Hayward
Where the French Revolution diverged from its American counterpart.

45
A Pilgrim's Progress
Loren Lomasky
Former utilitarian Jan Narveson defends *The Libertarian Idea* with the zeal of a convert.

COLUMNS

48
Insuring a Crisis
James Ring Adams / S&Ls

50
Slow March Toward Freedom
Martin Morse Wooster / Magazines

52
Who Is Ruiz Mateos?
Julio Marquez / Spain

54
The Sex of Politics
David Brudnoy / The Lateral View

56
Not the Huxtables
Alan Pell Crawford / Television

58
Wartime
Thomas W. Hazlett / Selected Skirmishes

DEPARTMENTS

10
Letters

14
Trends
Socking away retirement money, socking it to hurricane victims...

20
Brickbats

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DISABLED POLITICS

VIRGINIA I. POSTREL

The politics of niceness is the most dangerous politics of all, because it is the most dishonest. When no one will speak bluntly or raise uncomfortable issues, for fear of being thought tactless or mean, all manner of folly can be adopted as law.

In George Bush's kinder, gentler Washington, the politics of niceness rules. We hear no more of Reaganesque gaffes. (A gaffe, as Michael Kinsley has noted, occurs when someone accidentally tells the truth.) And we get bills like the Americans with Disabilities Act.

The ADA is the nicest bill to come along in a long time. It is even nicer than all those child-care bills. There are 43 million Americans with disabilities, say ADA's supporters. Only the scum of the earth would oppose protecting them from discrimination. It wouldn't be nice.

"No politician can vote against this bill and survive," said one of its opponents, Chamber of Commerce lobbyist Nancy Fulco. The bill zipped through the Senate on a 76-8 vote and looks to do as well in the House. Bush loves it. It's kind, it's gentle, and, besides, his son Neil has dyslexia.

Dyslexia isn't what comes to mind when most people consider hiring the handicapped. But it is exactly the sort of disability the bill is designed to cover. After all, if you limited *disabled* to, say, the blind, the deaf, the wheelchair-bound, and others with major physical impairments, you'd never get to the official tally of 43 million—more than one in six Americans. (By way of comparison, there are about 30 million black people in the United States.) Interestingly, in the 1980 census only 22.5 million people identified themselves as disabled.

The ADA's drafters in specific and the disability lobby in general prefer expansive definitions. The bill bans discrimination in employment and public accommodation against anyone with "a physical or mental impairment that substantially limits one or more...major life activities." What exactly that definition means made for an interesting Senate debate. Consider the following exchange between Sen. Tom Harkin (D-Iowa) and Sen. Jesse Helms (R-N.C.):

"Helms: Does the list of disabilities include pedophiles?

Harkin: What?

Helms: P-e-d-o-p-h-i-l-e-s?

Harkin: I can assure the Senator no.

Helms: How about schizophrenics?

Harkin: Schizophrenics, yes.

Helms: Kleptomania?

Harkin: Well, I am not certain on that.

Helms: Manic depressives?

Harkin: Manic depressives, yes....

Helms: People with intelligence levels, as measured on standardized tests such as the IQ test, which are so far below standard average levels as to limit substantially one or more major life activities, but who do not have any identifiable mental disease?

Harkin: It is my understanding that they would be covered in this bill."

Kleptomaniacs have since been kicked out by amendment, as have pedophiles, transvestites, homosexuals, bisexuals, exhibitionists, voyeurs, compulsive gamblers, pyromaniacs, and current substance abusers. Psychotics are still protected.

The ADA has been sold as a civil rights bill. How, you may ask yourself, have we gotten from Rosa Parks to psychotics? Somewhere along the way, we slid down a very slippery slope.

In the beginning, antidiscrimination laws banned bad—that is, immoral—taste. You couldn't decline to hire a more-qualified black simply because you didn't like blacks. To refuse to hire (or rent to or serve a hamburger to) someone, you had to give a good reason.

At first, the women's movement also attacked bad taste. But soon many feminists abandoned the old ideal of evaluating women as individuals, using the same standards applied to men. They argued instead for special accommodation. If most women soldiers couldn't do the chin-ups required of men, they said, the rules should be changed. If most women applicants couldn't lift the loads required of firefighters, the loads should be lightened. If many women wanted to take years off from work to raise kids, they should be guaranteed their old jobs back. The old tests of qualifications no longer constituted "good reasons."

The ADA extends the neofeminists' line of argument. With a vagueness that will enrich many a lawyer, it requires employers to make "reasonable accommodation" for disabled individuals. What exactly is reasonable will be up to the whim of the courts, but the senators seem willing to impose fairly expensive burdens, at least on larger companies.

For example, Harkin was asked whether the bill would require a company to hire a full-time reader to accommodate a blind employee. "If it is IBM, perhaps that is not a big deal," he replied. Even for IBM, however, getting one employee for the cost of two is indeed a big deal.

For the most part, however, the senators confined their questions to socially unacceptable "disabilities"—mostly of a sexual nature. They were too polite to ask, for instance, about dyslexics.

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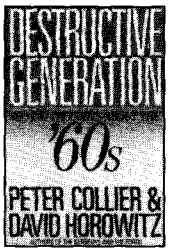

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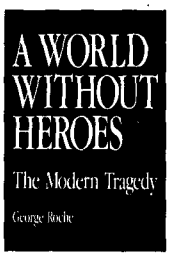

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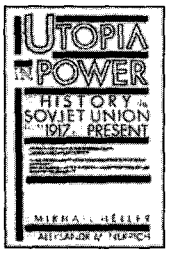

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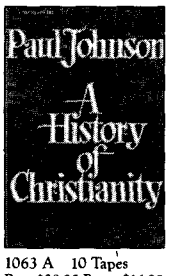

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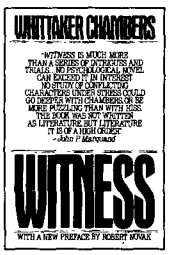

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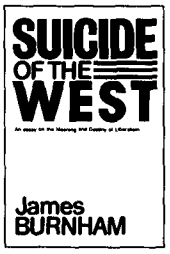

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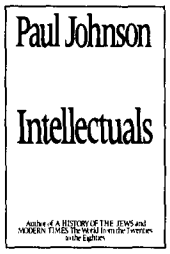

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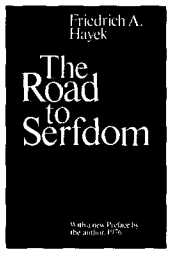

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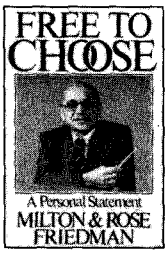

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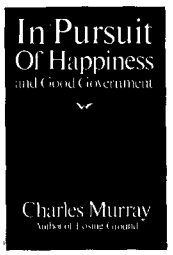

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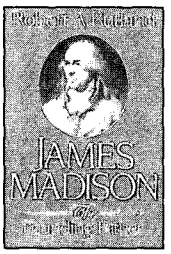

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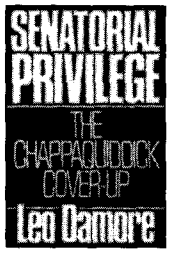

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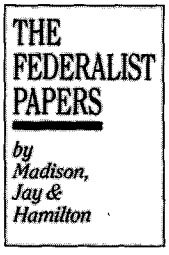

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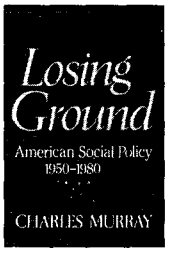

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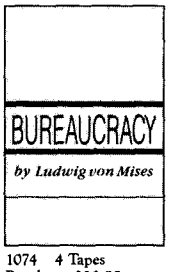

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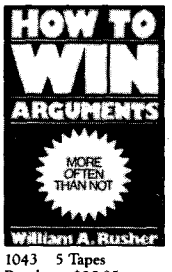

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Should they be typists? Answering-service operators? Proofreaders? And if not, why not? Might it not be "reasonable" to require companies to hire secretaries who can't spell? After all, their bosses could just proofread everything several times instead of just once—or the company could hire special proofreaders. How is that any more costly or inconvenient than having a reader follow a blind person around?

Then there are the mentally retarded. Many companies find they make excellent employees, particularly for repetitive tasks. But the ADA appears to prohibit any refusal to hire the mentally handicapped. And while truly intellectual jobs may require academic *credentials* (as distinct from *qualifications*), blue-collar jobs increasingly demand plenty of mental acuity. More and more companies depend on their factory workers to be able to interpret statistics, read charts, diagnose problems, and do a host of other challenging tasks that are beyond many a person of average intelligence, much less "people with intelligence levels...far below standard average levels." Are we to abandon the quest for efficient production and economic competitiveness altogether?

Unfortunately, tastes and qualifications are not as easily distinguished as the framers of the original civil rights statutes thought. To those who want to prohibit discrimination against the handicapped, it *is* simply a matter of bad will not to want to hire a reader for a blind employee.

They have a point. Economic decisions require tradeoffs, and how you make those tradeoffs ultimately depends on your tastes and values. To say that it costs too much to accommodate the disabled is to admit that you value their happiness or sense of self-worth less than you value something else—whether that something is raising salaries, devoting more money to R&D, or cutting prices. And that is exactly the kind of admission the politics of niceness won't allow.

THE SUFFERING OF INNOCENTS

JACOB SULLUM

One of the most troubling challenges to proponents of drug legalization is summed up in the simple question: "What about the crack babies?" We see them on television, their tiny bodies ravaged by the effects of their mothers' drug habits. Their piercing wails seem to express outrage at their predicament. Here are the most innocent of bystanders, harmed beyond repair by another person's carelessness. Here is a problem that would not be mitigated—indeed, could very well be worsened—by the repeal of prohibition.

But here also is evidence of the drug war's assault on individual responsibility. Until recently, the notion of holding the mothers of crack (or heroin or methamphetamine) babies accountable for their actions was virtually unthinkable. Indeed, the prevailing view remains that they, like their children, are victims. The drugs made them do it.

Rarely is it asked, Who made them do the drugs? Not only is that initial choice treated as a *fait accompli*, but the addict is portrayed as someone who has lost all volition. In this light, crack babies are an inevitable result of drug use.

It is dangerous, you see, for a drug warrior to acknowledge the distinction between merely taking cocaine and forcing it on a third party. People might start wondering why the government should bother to prohibit the former. Still, a few prosecutors have implicitly recognized the difference, and one has obtained the conviction of a Florida woman who endangered two babies by smoking crack throughout her pregnancies.

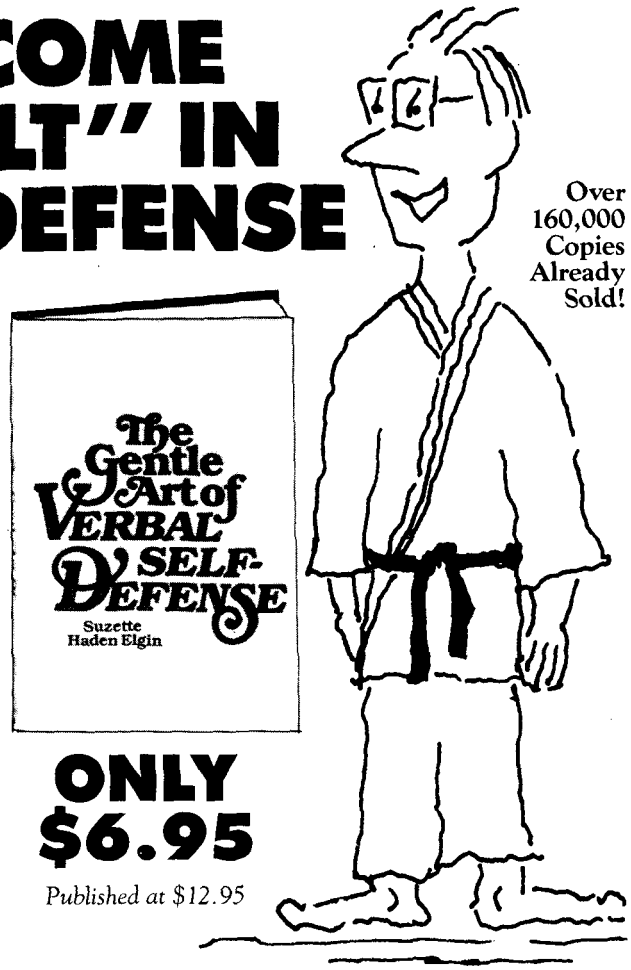
Unfortunately, the charge in that case, delivering cocaine to a minor, obscures the fundamental issue. In previous cases, judges or grand juries have thrown out more appropriate charges—such as manslaughter, felony injury to a child, and failure to provide medical care—against mothers whose babies died or suffered injury as a result of prenatal neglect. Critics of treating such neglect as a crime rightly point out that users of illegal drugs are not the only ones who might be found guilty of harming a baby through negligence during pregnancy.

Take the Seattle woman who drank half a fifth of whiskey virtually every day of her pregnancy and consequently gave birth to a baby suffering from fetal alcohol syndrome. She certainly did not consider herself a criminal. In fact, she turned around and sued Jim Beam. In one of those periodic miracles of civil justice, a federal jury found that the liquor company could not be held liable. But wait a minute—what about the mother?

An odd thought, perhaps—in what other crime does the perpetrator injure the victim by doing something perfectly legal to her own body? Moreover, unlike the effects of a robbery or an assault, the consequences of prenatal negligence are not immediate. The mother is not to be punished for harming a fetus—this would, after all, cover abortion—but for the delayed effect of threatening, injuring, or killing a baby. Then again, ordinary child neglect or abuse can also have a cumulative impact, but this does not absolve parents who starve their kids or feed them lead.

The key question is whether the mother is aware of the harm she is doing. It is obviously unjust to punish a woman who falls down the stairs during pregnancy for the damage such an accident might do to her baby. But a mother who knowingly and repeatedly endangers her baby's life through reckless action during pregnancy is no less guilty of neglect than one who abandons her child on the street, heedless of the consequences. Indeed, she is arguably more culpable: A crack baby or an FAS infant is the product of not one decision but a whole string of them—the decision to engage in a potentially

HOW TO BECOME A "BLACK BELT" IN VERBAL SELF-DEFENSE



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About the Author

Psycholinguist Suzette Haden Elgin has presented her innovative self-defense principles in a variety of formats. She has given workshops and seminars all over the U.S., including verbal self-defense sessions for doctors, lawyers, and other professionals.

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dangerous activity, the decision to have a child or to have sex without contraception, the decision to continue the hazardous behavior, the decision to carry the fetus to term.

It seems plausible to suggest that the threat of a criminal penalty would, in at least some instances, break one of the links in this chain. But regardless of deterrent value, the state has a legitimate role in punishing a mother who knowingly hurts her child, just as it should punish anyone who violates another person's rights. That, in short, is one answer to "What about the crack babies?" If we want government to mind its own business, we must clearly define what that business is.

IN WHOSE NAME?

CHARLES OLIVER

Barely a year after Congress enacted catastrophic health care for older Americans, the House of Representatives voted 360-66 to repeal the program. There is some maneuvering in the Senate to preserve parts of the plan, such as the federal subsidy for prescription drugs.

But catastrophic health care and the surtax on the elderly that paid for it seem doomed to repeal—killed by a nationwide outcry by the supposed beneficiaries of the program. The elderly, or at least a vocal group of them, didn't want the program if they were going to be socked with new taxes to pay for it.

If the catastrophic care debacle has demonstrated anything, it is that large groups such as the elderly have diverse needs that cannot be met by any grand one-size-fits-all federal program. And the lobbyists who purport to speak for millions often have no idea what these people really want and need.

Catastrophic care's chief proponent, the American Association of Retired Persons, alternately represents its constituency as upscale, affluent consumers (to advertisers in its slick bimonthly magazine *Modern Maturity*—the largest circulation magazine in the country) and as impoverished little old ladies forced to eat dog food. There is some truth to both images.

There are 62 million people over the age of 55, 26 percent of the population. The AARP itself has about 30 million members. As with any group of this size, there is tremendous diversity. Some are

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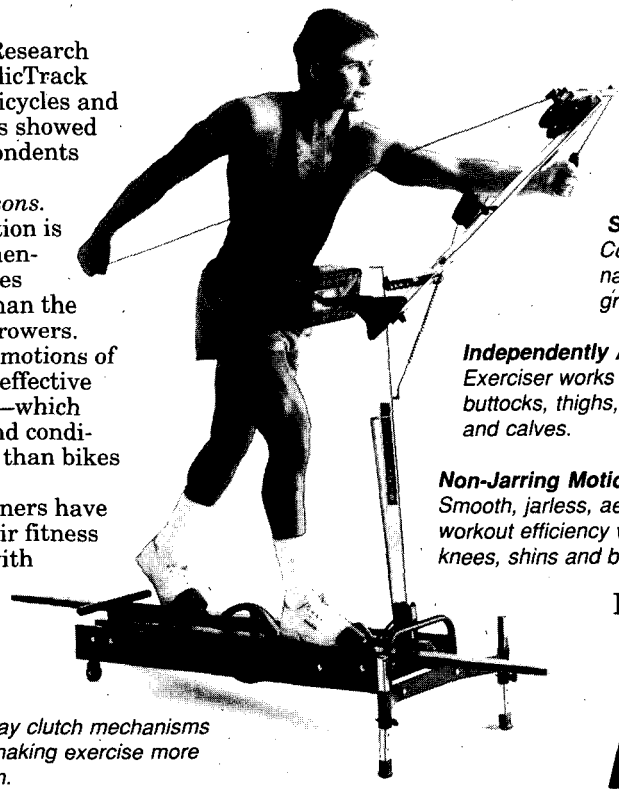

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rich, some poor, most middle class. Some seniors continue to work and pay taxes; others are retired, living off pensions and Social Security. Some seniors live in nursing homes and require medical care. Most have some measure of mobility and independence. Some are Democrats, some Republicans. Some liberal, some conservative.

It would seem obvious that no single program could adequately meet the needs of every one of these people. It would seem obvious to anyone except the elderly's chief lobbying group, the AARP.

The AARP pushed for catastrophic health care despite the fact that 85 percent of the elderly already have private insurance that provides most or all of the benefits in the program. These seniors resented paying up to $800 apiece annually in new taxes for a program they didn't need.

The AARP might have anticipated this resentment if it had polled its members. But, reports syndicated columnist Leonard J.Hansen, AARP local chapters say they were barely consulted.

Granted, the AARP probably has many members who would benefit from the catastrophic care program. But it also obviously has many members who don't need the plan and don't want to pay to support it.

The AARP might have better served its members by exploring ways for that 15 percent of seniors who need catastrophic care to obtain private insurance. Some analysts have proposed various combinations of tax credits and deregulation that promise to promote greater private care for the elderly.

Instead, the AARP pushed for a massive new federal program. The group probably never even considered finding a private solution to the problem of long-term health care for the elderly. The *Wall Street Journal* quotes former AARP executive director Jack Carlson as saying that the group's staff, many of whom have worked or hope to work in the federal government, "tend to think of a federal solution to any problem. But I think many members would prefer to see a private or a state solution."

But the AARP isn't the only organization wedded to the Washington bureaucracy. On every issue from homelessness to child care to education, groups that purport to speak for millions of people are advocating new federal programs.

The next time these people march on Washington and demand that something be done to solve their pet problem, we should ask ourselves three simple questions: Is there really a problem? If so, is more federal spending the best solution to the problem? And, Do these individuals really speak for all the people they claim to represent? Often, the answer to all three questions will be no.

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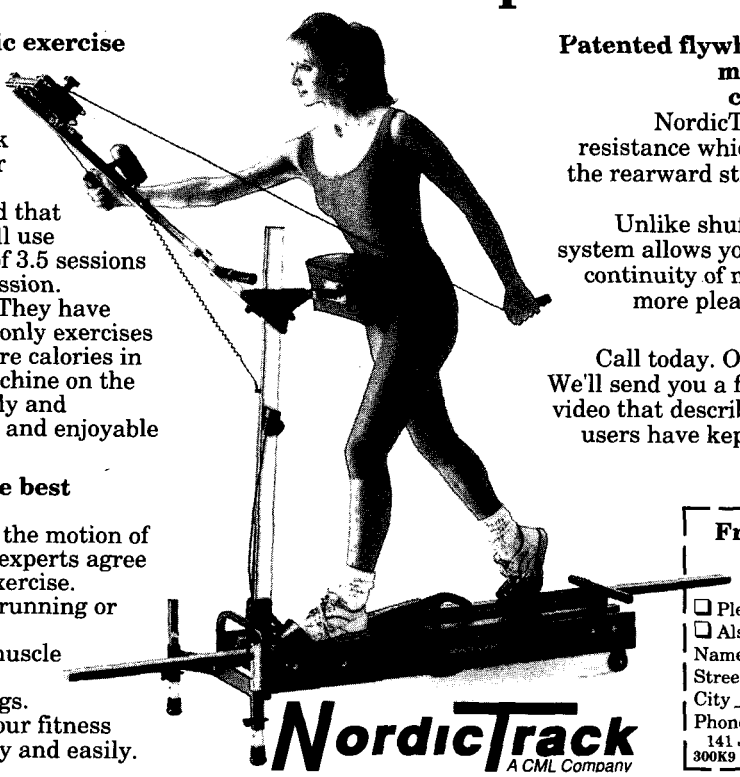

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LETTERS

Business as Usual in China

Steven Mosher makes two fatal flaws in his analysis of recent events in China ("The China Syndrome," Oct.). First, he ignores the critically important role that the opening up of business relations with the West played in creating the political atmosphere that encouraged the students to try for even more freedom. It was western businessmen who took in the computers, fax machines, and copiers that made possible the exchange of information so critical to what happened.

It's not surprising that some of the men who have taken power since Tiananmen are demanding that the doors to the West be again slammed and businessmen kept out. To deliberately impose economic sanctions and a trade embargo is to play into the hands of the enemies of more freedom in China. All we will get is another Cuba.

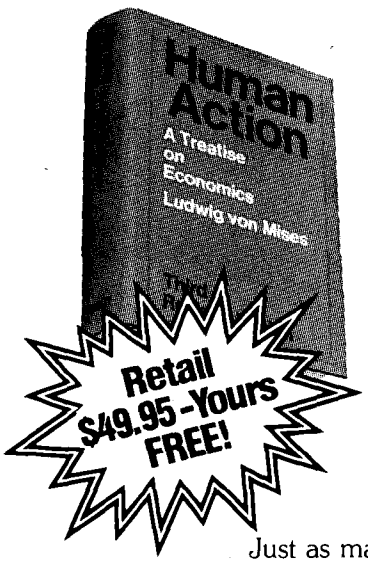
It takes a little bit of wealth to develop a demand for a little bit of freedom. The best we can do to help China is to sell them the hammers, nails, and technology they will buy to build a better economy, and will inevitably be used to build a free society, too.

Mosher's second flaw is to accept without question the idea that America has a moral responsibility to *do something* to help freedom in China. Like all other countries, the Chinese people must win their fight for freedom alone and on their own. The only way we can promote freedom is by the example we give. What China needs as help from us is a corps of American Lafayettes dressed in business suits and carrying order books, factory plans, sales techniques, and more fax machines and computers.

Mack Tanner
Moscow, ID

Mr. Mosher replies: My purpose was to explain not the origins of China's democracy movement but the response of the United States. But let me say that the demand for democratization is the product of more than just trade. In the Voice of America, the Chinese people have a reliable source of information about events in the rest of the world and, most importantly, in China itself. The VOA rendered the news blackout of the demonstrations by the official media completely ineffective. In students who have studied at American universities, they have a group that is personally familiar with advantages of democracy and disillusioned with Marxism. In the example of Taiwan, they have a Chinese province that has succeeded in not only modernizing, but democratizing. Hundreds of thousands of visitors from Taiwan have brought this point to the mainland in a very concrete way, by bestowing TVs, stereos, rice cookers, and other consumer items on their poor relations there. Finally, the private enterprise sector has seen explosive growth during the 1980s, expanding by more than 50 percent a year. It is no accident, as Marxists were once fond of saying, that most of the 1.5 million yuan collected by the demonstrators came from the private sector, which instinctively realizes that its interests lie in the direction of a more open, pluralistic, and democratic society.

No one in the Beijing leadership is demanding that U.S. businesssmen be kept out, or that the door to the West be shut tight. Rather, they are desperate that existing economic ties not be cut, and that foreign trade continue to grow. *Only one day after the Tiananmen massacre,* American businessmen started receiving fax transmissions from their Chinese counterparts offering them excellent terms if they would move quickly to close prospective deals. It is to take advantage of this desperation that I proposed, along with a host of noneconomic measures, that the United States consider limited



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sanctions for a limited purpose.

Beijing has not yet decided how wide the scope of its ongoing purge of activists will be, nor how the 10,000 to 20,000 people already arrested will be punished. If the United States does nothing, the most likely outcome is that detainees will be dealt with harshly, with many executions or lengthy prison terms. On the other hand, if the Bush administration makes clear that further arrests and executions will exact a heavy cost in terms of U.S.-Chinese relations, then lenient treatment becomes more likely. Release after six months to a year of labor or reeducation is perhaps the best outcome that can reasonably be hoped for.

In the long run the VOA, Taiwan, returned students, private enterprise in China, and international trade will all be important factors in China's democratization. Over the short term, however, perhaps the best way to promote the cause of liberty in China is to work to free its advocates.

AAA Ballet?

Virginia Postrel's editorial on the National Endowment for the Arts ("Sex, Religion and Art Politics," Oct.) has much to commend. But, unfortunately, she shows an ignorance of art and its contemporary problems.

Artists engaged in practical or popular arts do enjoy significant monetary rewards. But even popular artists suffer from the demand that every production be a megahit—or else. Rock music, for example, has been in decline for several years, because declining experimentation has led to a less interesting product. Some of the best rock music had its roots in small clubs long before it reached the big time. The Beatles played Liverpool and Germany before Ed Sullivan. The people who run our mass entertainment businesses all too often don't know how to nurture the very art they depend upon anymore.

Mass marketing art is a tremendously good idea. But where are new artists *going to come from?* Film the Bolshoi—or the New York Ballet—or the Royal Ballet. It's a great idea. But dancers and choreographers don't start out great. It takes years of work to build a great ballet company, and much labor in out of the way venues. Baseball has its minor leagues: Why not the arts?

An unfortunate lack of money also leads artists to seek government assistance. During the 1970s, according to the *Wall Street Journal*, artists' real incomes declined by 44 percent.

The irony is that the private sector could easily solve these problems and win the support of artists everywhere. The middle class and wealthy could become patrons of the arts—as in times past. We can seek out the new and the struggling—and help those we think worthy succeed. Businesspeople directly involved in show business could learn the art side of their business—and run their businesses with an eye toward artistic health as well as next quarter's profits. Finally, we all can stand up for personal freedom. Congress isn't going to send tanks into Greenwich Village—but too many people in our society would like to do just that.

Let's get rid of the NEA—but let's also replace it with decentralized, liberal, democratic support of healthy arts communities. Privatization, not simply abolition, is the answer.

Charles J. Divine
Trenton, NJ

Capital Improvements

Charles Oliver's otherwise excellent editorial on the capital gains tax ("A Capital Idea," Oct.) seriously understates the importance of inflation indexing of taxes on investment income. Even if the capital gains rate is lowered, without indexing for inflation the tax on illusory inflationary gains can be devastating. Furthermore, while a capital gains tax cut can (and probably will) be reversed, once indexing is passed it is likely to remain in the tax code forever.

Milton Friedman has argued that inflation indexing for *all* investment income—both interest and capital gains—should be the top priority for investment tax reform. As Oliver notes, indexing of capital gains is being considered in Washington; it is important that those considerations be widened to include interest income, so that the ordinary working American (who is more likely to earn interest than capital gains) will also be protected.

Inflation indexing is a substantial step toward both justice and economic efficiency that should be supported by all well-meaning Americans.

David H. Miller
Sacramento, CA

Only Spouses Need Apply

Anent "Georgia on My Mind" (Trends, Oct.), an update is in order. The Superior Court of DeKalb County, Georgia, has surprisingly ruled that Georgia's 156-year-old sodomy law cannot be applied to consenting married couples. In his decision, Judge Robert Castellani wrote: "Government has no business with a married couple's private consensual sexual practices....This court believes the petitioner's right to marital and domestic privacy has been violated by the sodomy law as applied to him." James D. Moseley, who has already served 18 months of his two-year sentence, has been sprung.

Attorney General Michael Bowers has yet to decide if the state will appeal. However, he has publicly stated: "Insofar as the court holds as a matter of law that the sodomy statute can't be applied to a married couple, that...is exactly what we had said." Note that the law still applies to persons not married to one another. The decision, while a slight bow in the direction of common sense, hardly puts Georgia in the libertarian column.

Glenn D. Eberhardt
Warner Robins, GA

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Securing Future Retirees

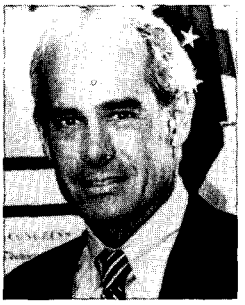
A proposal before Congress would require the Social Security Administration to do the politically unthinkable—consider at least partially privatizing the system. Rep. John Porter (R.-Ill.) has sponsored HR 3083, which would remove current Social Security surpluses from budget deficit calculations and force the SSA to study investing Social Security surpluses in the private sector.

Porter wants to improve the prospects for future retirees as fewer workers pay Social Security taxes and more elderly Americans demand benefits. His eventual goal is to allow workers to make Social Security payments into their own private retirement accounts, while simultaneously reducing their claims on the Social Security system.

The federal government has been using current Social Security surpluses to offset the overall budget deficit. Last year alone, the Social Security surpluses reduced the federal deficit by $56 billion. This practice is scheduled to end in fiscal 1993, but Porter's bill would stop it now.

The bill also requires the SSA to conduct a study to recommend "redirection of FICA and SECA taxes to individual retirement accounts or annuities or other retirement income arrangements." From these recommendations, Porter plans to propose legislation that would permit each worker paying Social Security taxes to own his or her contributions. Workers would each establish an Individual Social Security Retirement Account (ISSRA), which would receive their accumulated payroll taxes.

Each year, Porter says, "we would 'refund' into workers' ISSRAs the portion of their FICA taxes not needed to cover current retirement benefits, and [reduce] each worker's claim on the Social Security Trust Fund accordingly. ...By 2050, the new system would be completely vested and funded." Individuals could invest the accumulated



Porter wants taxpayers to own their contributions.

funds in a variety of public or private savings choices.

This is not a voluntary retirement program; it is a forced savings plan. Workers and employers must pay into the system. But Robert Gustafson, Porter's legislative assistant, said that "the basis of the plan is that all people who put money in [the Social Security system] will get the same benefits they are promised" when they enter the workforce.

Those who support privately investing Social Security taxes assert that it would boost the economy and offer future retirees a better deal than Social Security promises. Harvard economist Martin Feldstein estimates that investing all Social Security taxes in the private sector would increase GNP by 19 percent. Attorney Peter Ferrara, who has written extensively about Social Security, has calculated that a minimum-wage worker investing in a private retirement plan would earn twice Social Security's current payout.

Even though Porter says his proposal has received wide support outside Congress, so far HR 3083 has only four cosponsors. Gustafson reports that the bill has been presented to the House Ways and Means Committee. He hopes hearings will take place before the end of the year.

—Rick Henderson

District of Despair?

The District of Columbia has earned its reputation as the nation's combat zone: atrocious public schools, rampant drug abuse, and a skyrocketing violent crime rate. These problems can't be blamed on a lack of government attention, as the following statistics comparing the District of Columbia with the rest of the nation show.

	D.C.	U.S. avg.
Violent crime rate/100,000	1,609	609
Homicide death rate	28.2	9.0
Infant mortality rate	21.1	10.4
Average annual salary	$28,477	$20,855
Percent of population on public assistance	11.2	6.2
State government expenditures per capita	$4,701	$2,504
Federal grants to state and local governments per capita	$2,436	$427
Average teacher's salary	$34,705	$28,044
Per pupil expenditure, public schools	$5,643	$4,209

Source: Statistical Abstract of the United States, 1989

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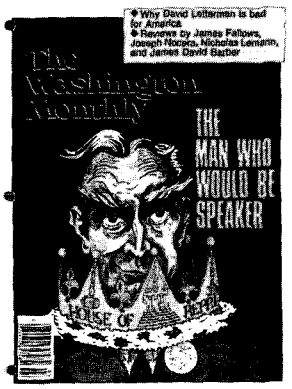

Three years before the downfall of House Speaker Jim Wright, *The Washington Monthly* warned its readers: "If Tip O'Neill seems like the sort of guy who would write out a taxpayer endorsed check to everyone who tried to sell him swampland in Florida, Jim Wright seems more like the guy selling the land."

And that's not the first time we anticipated the news that would later make headlines . . .

➥ In a story we ran six years *before* the Challenger disaster, we warned that the space shuttle was unsafe, saying, "Here's the plan. Suppose one of the solid-fueled boosters fails. The plan is, you die."

➥ Seven months *before* the stock market crash in 1987, we warned that the programmed trading and low-margin stock options could turn a bad day into Black Monday.

➥ Months *before* the Iran-Contra scandal broke in newspapers, we warned readers, "This National Security Council staff is the worst in history."

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BALANCE SHEET

Assets

Toys Land. Toys R Us teams up with McDonald's to hit Japan. Those stodgy Japanese retailers are in for the shock of their lives. The company completely transformed toy selling in this country, making it a year-round business and combining huge inventories with sophisticated tracking systems. Imagine what it can do in a land where grown men and women can't get enough of Mickey Mouse and Hello Kitty.

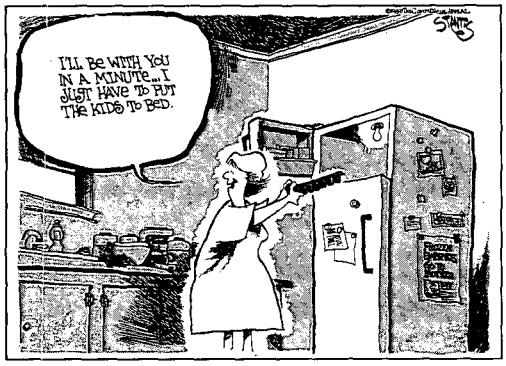
Crack Up. The drug war backlash begins. "Nightline" questions the media's rah-rah attitude. The set-up crack bust in Lafayette Park makes Bush look both silly and sleazy. Great Right Hope Pat Buchanan comes perilously close to advocating legalization. The big questions remain: Will the popular media follow the elites? Will the public follow them? And how nasty will the drug warriors get when they start losing? (Should REASON editors expect tax audits?)

Capitol Gain. The Reagan Revolution fizzled but tax-cutting fervor survives. Cutting capital gains taxes proves downright populist. So much for rich-baiting—and for the Dick Gephardt/Bob Kuttner theory that the way to the voters' hearts is through their envious little green eyes.

Inside Story. The ain't-it-awful consensus on insider trading breaks up. Prosecutors give up on the "Wall Street Three," leading to innocents-accused news stories—in stark contrast to the original '80s-sin-and-decadence spin. Long-promised new charges against Michael Milken fail to materialize. L.A.*Times* ace Scott Paltrow contributes a long piece noting that most insider trading is done by ordinary people who think nothing of it.

Liabilities

Revolting Development. Real estate developers are the '90s answer to '50s commies. They make great TV villains and, observes Amy Schwartz of the *Washington Post*, they're even turning up in Harlequin Romances. With Charlestonians railing against developers, don't look for an end to that city's pre-Hugo housing shortage anytime soon.



Fetal Attraction. I used to have a lot of sympathy for the pro-lifers' cause. But the life-begins-at-conception view just gets sillier and sillier when you try to put it in practice. An estranged couple squabbles over custody of their frozen embryos. The mother wins. So far, so good. But the court rules that the embryos are people. Does that mean they *all* have the right to be implanted and, with luck, born? (Yes, folks, we are indeed living in a science fiction novel.)

Post Haste. The House votes to put the Postal Service off-budget, giving it the same insulated status as Social Security. Meanwhile, Postmaster General Anthony Frank foresees big rate increases come 1991. Costs, he says, have jumped 20 percent (!) in two years. Get ready for the 32-cent stamp.

Blowing Smoke. The Senate votes to ban smoking on all airline flights. Since nicotine appears to be the most addictive drug known to man, it's unlikely junkies will manage to hold out for five hours across country without lighting up. They'll just do it in the bathroom, catch the plane on fire, and kill everyone. —*Virginia I. Postrel*

Another Beachhead?

By wreaking havoc along South Carolina's coast, Hurricane Hugo has crystallized the issue of beachfront management in that state. Environmentalists say the destruction demonstrates the folly of building near the ocean and the need for restrictions on construction. At the same time, opposition to South Carolina's Beachfront Management Act has intensified because the law is hampering the efforts of many property owners to rebuild after the storm.

Already on the defense in federal court, the South Carolina Coastal Council, which enforces the act, is likely to face a

wave of lawsuits seeking compensation for losses imposed by construction restrictions. "The coastal council should have no authority to come out here and tell a man he can't resecure his piece of property," an indignant Myrtle Beach motel owner told the *New York Times*.

Passed in June 1988, the Beachfront Management Act establishes zones along the shore in which construction is prohibited or severely restricted. In the "dead zone," which extends 20 feet landward from an imaginary primary dune line, new construction is banned and homes or businesses destroyed by fire or storm may not be rebuilt.

But there is some hope for seaside residents who were hit twice this fall—once by Hugo and once by the beach law. In August, a state court of appeals set a precedent for compensating property owners affected by the law, awarding $1.2 million to two plaintiffs who were forbidden to build on oceanfront land they had

SAM M. INMAN, IV

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purchased before the act was passed.

The law has also been challenged in federal district court by a group of Hilton Head residents whose oceanfront lots fall within the dead zone. Their suit, filed in Charleston, charges that enforcement of the beach law is an unconstitutional taking of property under the Fifth Amendment and a violation of due process under the Fifth and Fourteenth Amendments. Randall Chastain, a University of South Carolina law professor who helped argue the case, says the construction limits interfere with property rights to such an extent that they constitute confiscation without just compensation. Further, he says, the restrictions are so tenuously connected to the ostensible goals of the law that they cannot be justified even if they aren't deemed a taking.

Attorneys for the coastal council argue that the construction limits should not be considered a taking when land affected by the law retains some value. Chastain thinks the U.S. Supreme Court's decision in *Nollan* v. *California Coastal Commission* indicates otherwise. In that 1987 case, the commission refused to grant a Ventura County couple a construction permit for a beachfront lot unless they allowed people to walk along the seaward edge of their property to get from one public beach to another. The Court found that the requirement violated the Takings Clause.

Chastain maintains that South Carolina's law does not meet the *Nollan* test of subtantially advancing a legitimate and substantial state interest. Whether or not District Court Judge Falcon Hawkins buys his argument, the case will almost certainly be appealed.

If the law is ultimately overturned, victims of Hugo will be able to rebuild dead-zone homes and businesses destroyed by the hurricane. And even if the law remains in effect, they may recover damages through their own suits.

The outcome of the case could have a significant influence on other coastal states. Chastain says South Carolina's law is the most restrictive of its kind in the nation. North Carolina and Florida have beachfront management laws, but they allow current structures to be rebuilt and permit some new construction.

The case also has implications for takings law in general, providing an opportunity to address issues left unresolved by *Nollan*. The attorneys for the coastal council are worried that the case might set a dangerous precedent by making government accountable for its actions. Says co-counsel C.C. Harness III, "Government could hardly survive if it had to pay damages for every change in the law." Precisely. —*Jacob Sullum*

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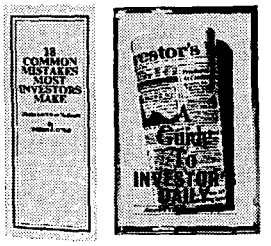

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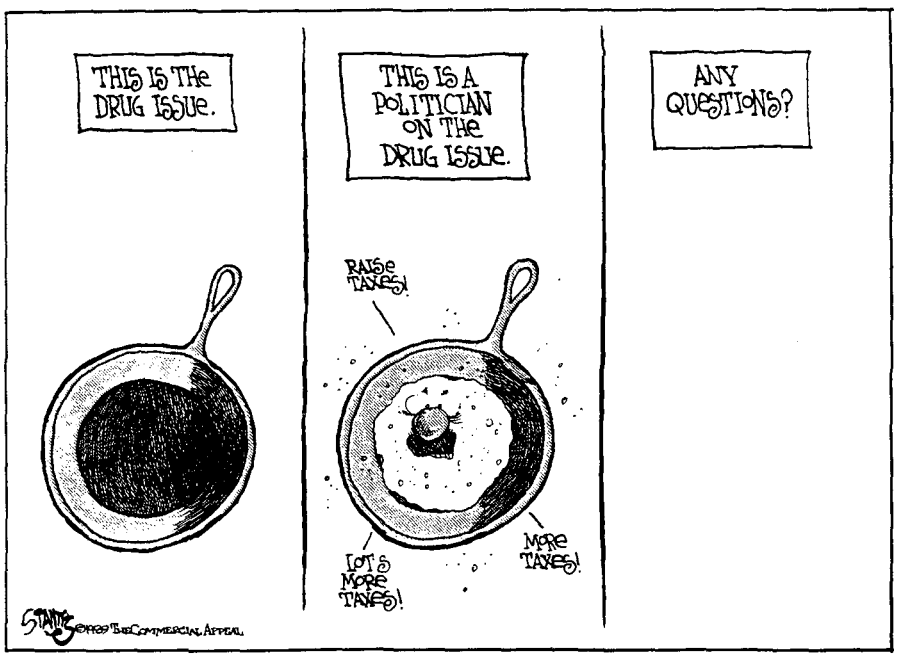
BRICKBATS

In South Carolina, state Rep. Mike Fair heard that promoters were trying to book the Rolling Stones in the University of South Carolina stadium. Outraged that such a lewd group might perform on university grounds, Fair drafted a bill to stop them. In part, the bill bans any act in which "male or female gentiles are displayed." Presumably Jews, and gentiles of indeterminate sex, are allowed.

Last year, New York City's finest ticketed 25 unlucky jaywalkers. In Milwaukee, by contrast, the cops wrote 3,000 jay-walking tickets. Milwaukee's hard-nosed attitude toward this crime is legendary. One man claims he was spread-eagled, searched, and taken to a station house after he was nabbed crossing in the middle of the block. One woman was taken downtown and strip-searched after she crossed against the light. We probably don't want to know what they do to people who are illegally parked.

Officials in Chicago had a great plan. They would build an underground tunnel connecting City Hall with the State of Illinois Center across the street, allowing bureaucrats to go from one to the other without braving those famous winds. Each government would start building from its side of the street, and the two would meet in the middle. But it didn't work out that way. The state's section is nine inches lower than the city's and eight inches to the east. Taxpayers will have to spend $310,000 to fix the mess. Even at the local level, government can't seem to make ends meet.

The city council in Avon, Massachusetts, was shaken, not stirred, by bar owner Chris Martin's idea to improve his business. He wanted to declare Monday—always a slow night—a "no alcohol" night. He would hire a disc jockey and serve only nonalcoholic beverages. But the council just said no to his plan. With that kind of policy, they feared, the bar just might attract too many customers.



In Missouri, lawyers are having a field day with the state law restricting abortion. The statute, which was upheld by the Supreme Court, declares that life begins at conception. One attorney has argued that a client who lost his driver's license for underage drinking should get it back. Counting from conception, the guy was actually five months older than the minimum drinking age when he was arrested. Another lawyer wants to get the fetuses of imprisoned women out of jail. The fetuses haven't been convicted of anything, he argues, and jailing them violates their right to liberty. Another attorney argues that if fetuses are persons, they should be counted in the census.

Movie fans in Seoul got a surprise recently. Two film directors released 14 nonpoisonous snakes into a theater showing *Fatal Attraction*. The directors were part of a group trying to keep South Koreans from patronizing foreign films. Really, if Glenn Close's nude scenes didn't frighten people away, a few snakes aren't going to have any effect.

Meanwhile, the Washington Film and Video Office is trying to lure filmmakers to that state. The bureau placed an ad in *American Cinematographer* magazine proclaiming that "Debbie Could Have Done Dallas in Seattle." Seattle is a lovely city, but do porn films really require much location shooting?

Iraqi soldiers shot down an Egyptian Air Force bomber as it prepared to land in Baghdad. The plane was coming to appear in an air show.

And in Washington, D.C., police are cracking down on rush-hour drivers who fill their cars with mannequins to take advantage of the fast-moving car pool lanes. Said the driver to the cop, "That's no dummy! That's Vice President Quayle."

—Charles Oliver

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Tired Libertarianism?

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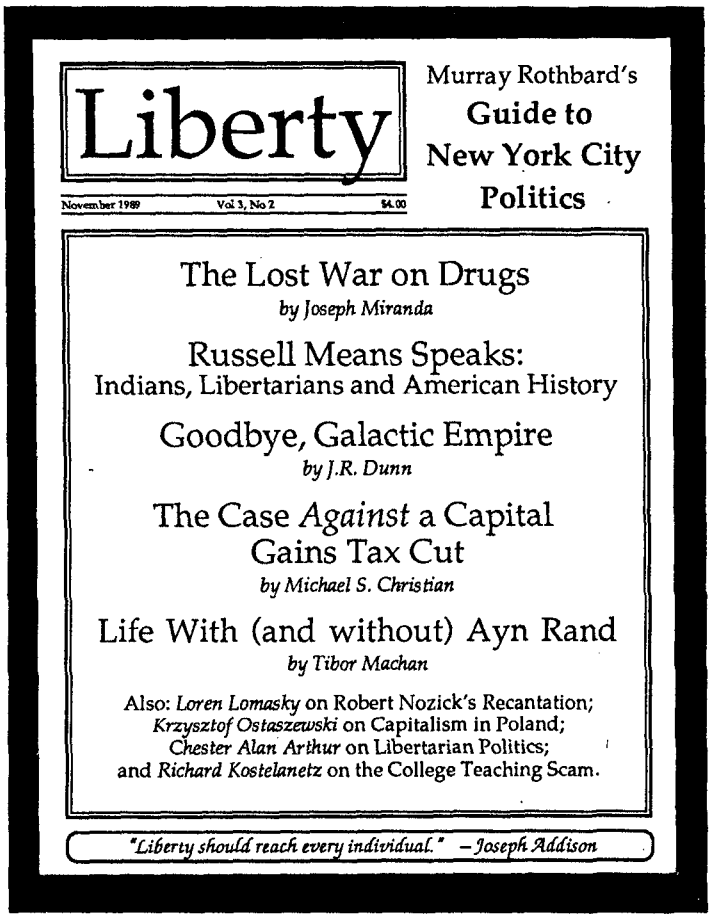
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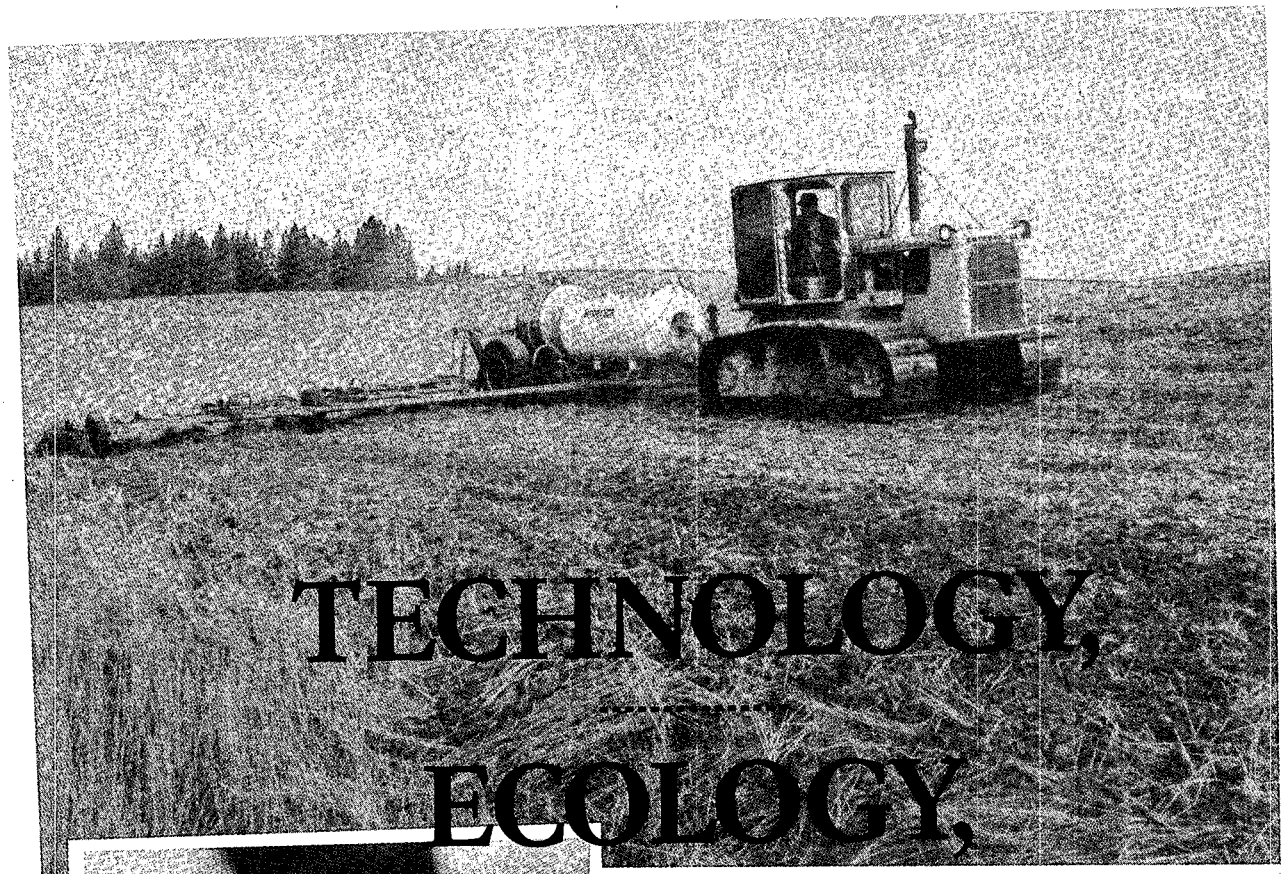
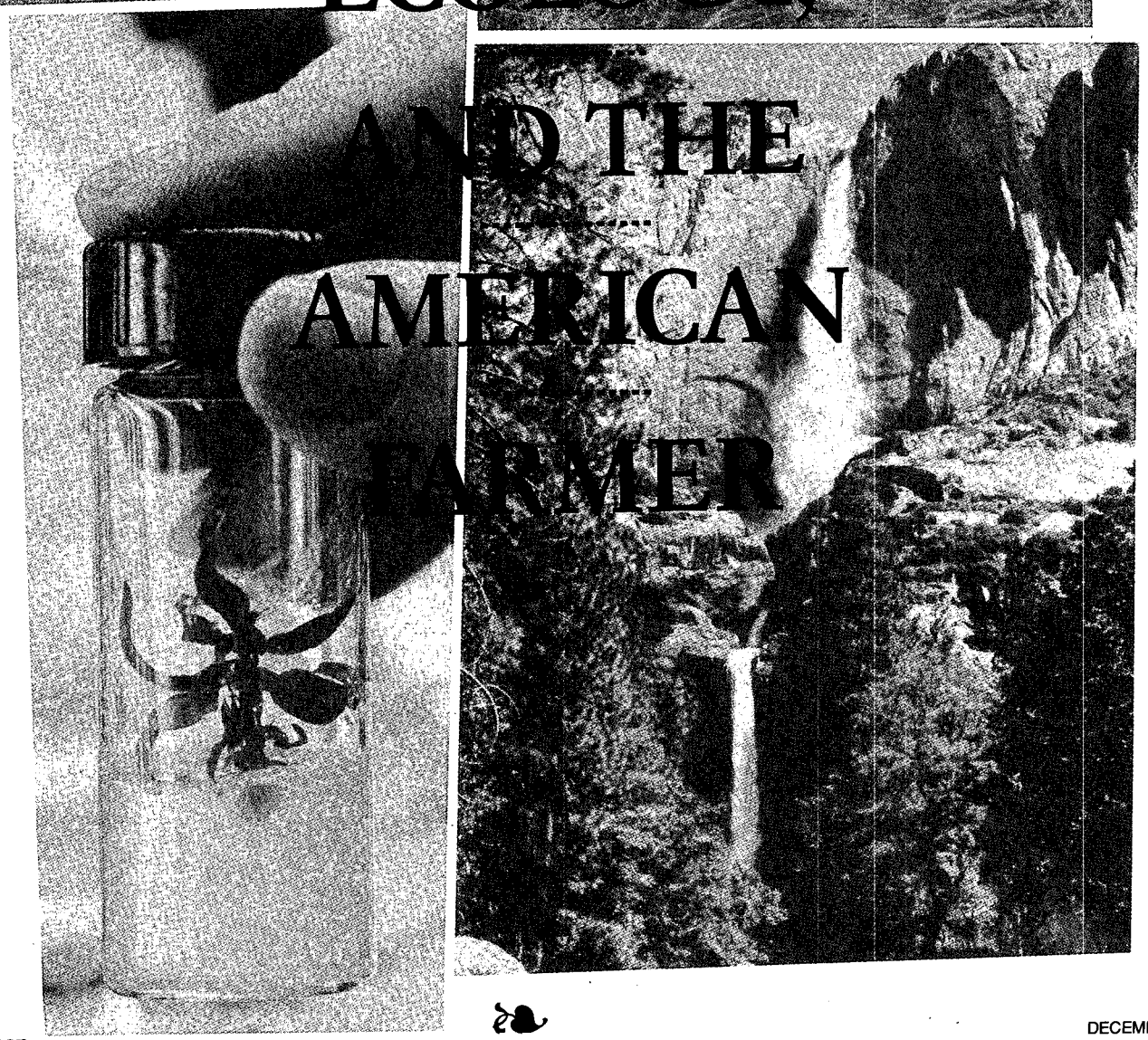


TECHNOLOGY, ECOLOGY, AND THE AMERICAN FARMER



In the 1950s," recalls farm consultant Eldon Hans, running his hand through his white hair, "we were canning peas and sweetcorn and pumpkins in East Iowa. Lots of other vegetables and many fruits were grown locally. Most farms had a few livestock and poultry. The field crops were mixed, and rotated from year to year. It was the kind of balanced, varied production that many agricultural experts now just yearn for."

But fat federal field corn subsidies came along and did away with all that. Corn requires a week or two of hard work at each end of the summer and then nothing but a little casual watching; specialized crops can be a lot more painstaking. Corn prices are set high, and guaranteed, by the government; other crops vary in price like most things vary. It's little wonder, then, that farmers in East Iowa, and in lots of other places across the country, quit growing mixed crops.

All those canneries that Eldon Hans remembers have moved to Minnesota, where the short growing season prevents corn from pushing out competing production. And like most of the rest of the country, Iowans get the bulk of their fresh vegetables from the vast corporate operations based in Florida and California. There's not a reason in the world that dirt-rich Iowans should be eating trucked-in strawberries and stringbeans picked seven days earlier during the summer, but they are. Because most of the state has become monocropped in corn. As you crisscross the endless rolling hills, king corn—sponsored by federal payments that have nearly doubled the market price in some years—stretches from horizon to horizon, farm after farm, season after season.

Scientific advances promise more bountiful harvests and a cleaner environment. But farm subsidies and technophobia could block the way.

BY KARL ZINSMEISTER

Agriculture this unbalanced can reduce the quality of output available to consumers—there is no fully adequate substitute for fresh local produce. It has made farming more cyclical and insecure, as a grower's fortunes often rise and fall on one crop price. It can be very hard on local economies that have lost much of their diversity, becoming truly one-horse towns. And it has brought real problems environmentally.

The traditional route to high farm productivity was to rotate various crops to keep humus and soil-nutrient levels in balance. But very high subsidies for a handful of "program crops" have made them so unnaturally lucrative and secure, compared to alternatives, that rotation is falling off. As a result, many farm counties are characterized by excessive concentration on a narrow range of agricultural output. From his extensive studies of various cropping regimens, Iowa State Cooperative Extension agent Mike Duffy concludes that "all the financial rewards currently favor the most environmentally damaging practices."

In addition to the overconcentration on favored crops that subsidies bring, there are more-specific problems with current federal programs. For one thing, payments are made to farmers on the basis of the total acreage they devote to a program crop over a period of years. If a corn farmer rotates his fields with soybeans, oats, or pasture for conservation purposes, his "base" for corn falls, reducing the area he is eligible to harvest in future years. "Government programs kick you in the teeth if you try to follow a rotation-based system," says Duffy.

AGRICULTURAL RESEARCH SERVICES, USDA

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To save their teeth, most growers of corn and the other supported farm products have taken to monocropping—the same kind of plants on the same land, year after year—and pouring on fertilizers and pesticides to try to maintain soil fertility. That is costly, and it can have untoward environmental effects, including increased insect immunity to pesticides, excessive leaching of fertilizers into watersheds and aquifers, and possible buildups of chemicals in the soil, water, and food chain.

In September, the National Academy of Sciences released a major study concluding that federal farm subsidies encourage overuse of fertilizer and pesticides by rewarding maximum yields per acre rather than maximum overall return in the marketplace. The NAS also pointed out that farm policy discourages diversification into other crops not covered by government programs. The chairman of the research committee that wrote the report said the finding of government culpability was the most important conclusion of the study. "It is these programs that really restrict experimentation, the changing...to alternative crops" and other conservation practices, explained John Pesek.

The over-intensification problem is aggravated not only by subsidies but also by other provisions of U.S. farm programs. In an attempt to contain the unwanted agricultural surpluses that subsidies inexorably bring, lawmakers have increasingly relied on a strategy of land-idling. The 1985 farm bill included measures to take tens of millions of acres of U.S. farmland out of production for periods ranging from 1 to 10 years. To keep farm income up while this was taking place, direct payments to farmers were increased.

These measures had a very perverse combined effect. On the one hand, the supply of available farmland was constricted. On the other, payments for each bushel actually grown were very generous. Farmers responded exactly as you would expect—they poured chemicals and tractor time onto those acres that remained in circulation and got higher yields that nearly canceled out the lower acreage. That defeated the lawmakers' intent of cutting output. It also souped up agricultural intensity to unnatural levels—the last thing to be desired from an environmental point of view.

So long as politicians insist on handling the surplus dilemma by reducing the supply of agricultural land instead of attacking the problem at its root—by cutting subsidies—farmers will continue to substitute chemical and energy inputs for acreage. The strange result is that in this country, where we have more rich earth than we know what to do with, much of it is tilled as frantically, and harshly, as if we were some soil-shy rocky island.

> Without subsidized water, California would be relatively unimportant agriculturally. But its cheap drinks have lured crops from elsewhere.

Another effect of high farm subsidies combined with mandatory land "set-asides" is to encourage sod-breaking on fragile lands. For instance, the sagebrush lands of West Texas and the sandy prairies of Colorado, Nebraska, and Wyoming had for most of this century been considered too frail for tillage. Under market conditions, they would rarely have been used for anything but grazing. But thanks largely to federal incentives in the late 1970s and early 1980s more than 10 million acres of this highly erodable land were plowed under for wheat and corn.

Much of it gave out within a few years, but a safety net yawned below: In 1985 the Department of Agriculture set up a "Conservation Reserve" program to buy out of production up to 45 million acres of "fragile" lands—three-quarters of them planted in program crops—for a 10-year period. Most of the sodbusters jumped on board. In that way they extended their economic bounty another decade, proving they were right to bet the feds would make their environmentally and otherwise imprudent decision economically lucrative.

Tarkio, Missouri, farmer Blake Hurst notes the perversity he observed in his county: "What programs like the...Conservation Reserve really do is remove the risk from farming highly erodible, unproductive land....When times are good, plow it up and let it blow or wash away. Don't worry about the bad times; you can always rent it to Uncle Sam."

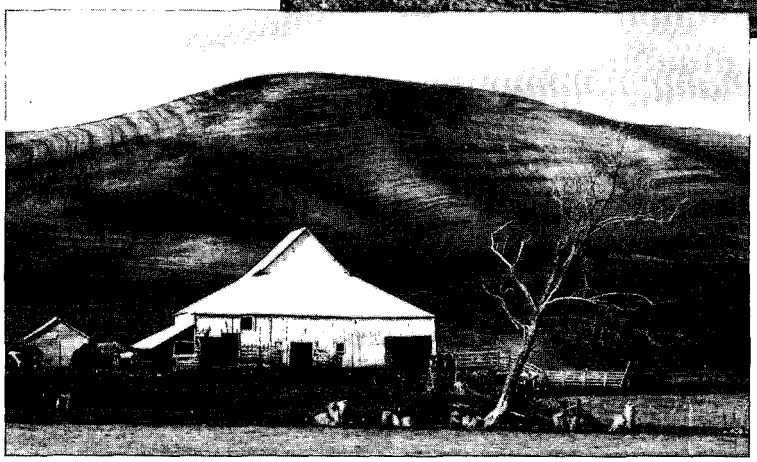
Similar whackings to Mother Earth have been administered by another portion of the U.S. farm program: the disaster aid regimen. Established in 1973, federal disaster aid allows growers whose harvests are stunted or who are prevented from planting by "conditions beyond the control of the producer" to collect payments that frequently total many hundreds of millions of dollars. (In the 1988 doozy, nearly $4 billion in drought aid was handed out.) In addition, the government farm credit agencies routinely make billions of dollars in "loans" (many of which go delinquent) available to farmers in areas hit by flood, dryness, or similar inclemency.

The problem is, the easy availability of free insurance encourages more exploitation of dicey lands, riskier planting decisions, and less care in management. Agricultural economist Bruce Gardner points out that "corn is more susceptible to lack of water than is grain sorghum; but if all goes well, corn is a more profitable crop." With disaster aid guarantees

behind them, dryland farmers will gamble on the bigger payoff instead of planting the crop that makes most sense in their area. The sensible old arid-region practice of leaving land fallow every few years in order to let subsoil moisture build up has fallen off for the same reason. Disaster aid, Gardner writes, "can be characterized as an anticonservation policy."

One of the clearest examples of the sloppiness that disaster payments can bring on was a little program that existed until 1980 to indemnify beekeepers for their losses. Content with the assurance that the USDA would make good any losses, some apiarists didn't even bother to move their hives from orchards and fields when they were being sprayed with pesticides.

Severe erosion exposes the subsoil on many hillsides in Eastern Washington (below). Alternating rows of corn and alfalfa prevents erosion (right). Price supports hinder such sound practices.



Another way the federal government has sometimes underwritten ecological foolishness is through its irrigation policies. Large federal water projects are almost never self-financing. Some are selling water to farmers for $3 an acre-foot when its marginal cost is 200 times that. That leads to wastage, depletion of sometimes irreplaceable supplies, less water available for other uses such as human consumption, and sometimes damage to soils from dissolved salts left behind on overwatered land.

Federal water projects have also distorted regional farming patterns. Without subsidized water, California would be relatively unimportant agriculturally; with it, it is our number-one farm state. Much of California's agriculture replaced production that had previously taken place elsewhere. Its large cotton and rice industries were stolen from the Old South. Most of its corn and wheat operations would have remained in the Middle-West but for the cheap drinks. Its extensive cattle ranches pushed out operations from both the South and Midwest (an incredible 30 percent of California's state water production is now used to irrigate pasture). Its massive produce farms overpowered local operations all across the country.

And California is but one example. Maine's potato industry has similarly been dashed by competition from irrigated spud ranches in Idaho and Washington.

The frequent misallocations of the water projects have been recognized for some time, and slow movement toward more efficient pricing of federal water is beginning. But that alone will not solve the irrigation follies. Irrigation has nearly doubled over the past 30 years, and much of the most recent increase has come through private investments. Many of these projects are sensible, a kind of self-insurance against drought. But some draw over-heavily on nonreplaceable ground water, particularly in the northern Great Plains. The culprit here is not a federal water authority but rather farm price supports set so high over market levels they overpower any incentive to conserve the water for future use. Economically, it now makes sense for some farmers to pump their wells dry, collect fat federal payments, and retire off the proceeds.

But, of course, this is not wise long-range policy. Former Assistant Secretary of Agriculture William Lesher points out that "from 1929 to 1978, 60 percent of the increase in irrigated acreage occurred on the principal program crops. We are mining and depleting our water resources to produce more of the agricultural products for which we already have burdensome supplies."

It is clear that rolling back agricultural subsidies would bring a more flexible, somewhat less intense agriculture that would not only be less costly for farmers and more varied and responsive to consumers, but also gentler on the earth. So, as you might expect, environmentalists have shown increasing interest in farm questions. (Current EPA chief William Reilly made agricultural topics a special concern in his previous position as head of the Conservation Foundation.) Environmentalists have vowed to be active in the drafting of the next farm bill, and in the current atmosphere much of the process could be enviromentally driven. "I'll be very surprised if environmentalists don't come up with a common agenda and a strong effort to see it passed in the next farm bill," says Ken

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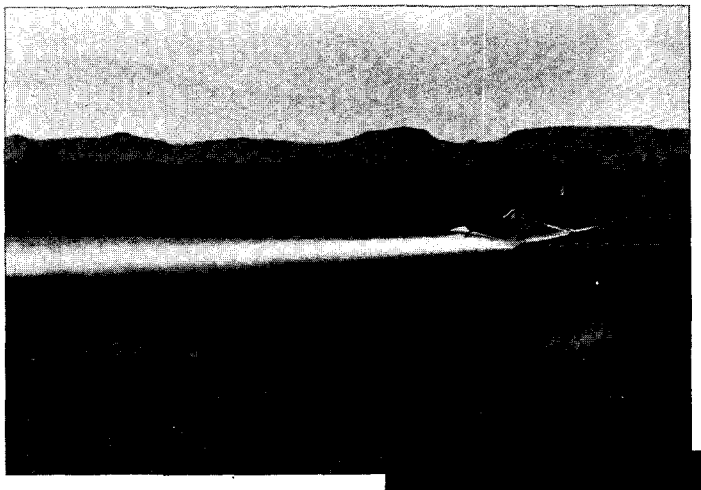
Crook of the Center for Resource Economics, a Washington, D.C.-based enviromental group active on agricultural issues.

Unfortunately, most environmental groups are much more interested in strapping controls on farming than they are in trying to help put its economic incentives in order. They are more likely to throw regulatory tantrums on issues like chemical use than to seriously pursue the more lasting solution of putting farming onto a self-sustaining, market-sensitive path.



Plant pathologist Nichole O'Neill (right) hopes to genetically engineer alfalfa so it won't need pesticides (above).

Environmentalism's relationship to farming has always been ambivalent. As several farmers told me, many people love to have open space around them, but they don't want anyone to go out and earn a living on it. Blake Hurst speaks generally for tillers when he says, "We think of the environment as something we have to battle. We have nasty insects, destructive windstorms, dangerous floods to be resisted. It's a lot easier to be an environmentalist when you live in an air-conditioned house and commute in a comfortable car to an office, when you don't have to worry about parasites in your meat or worms in your pickles."

Soybean grower Jack Fischer of Pomeroy, Iowa, cites the example of the open drainage ditches on his spread that require cleaning out every 40 years or so. "Some environmental groups see that as destroying natural habitat, but that ditch was dug by a farmer, and its purpose is to provide an outlet for runoff." In the past, the government has bought various forms of conservation compliance from farmers with its outlays. Increasingly, however, environmentalists are pushing toward just mandating changes.

Maryland chicken producer Simpson Dunahoo worried to me about the "grave, growing threat to farmers, and private property owners generally" represented by so-called critical areas legislation pushed through in his state a couple years ago (and replicated in many others). It requires, for instance, that any land within 1,000 feet of tidal water have no more than 1 house per 20 acres. No state compensation is offered for what effectively amounts to a taking of valuable land. Other measures forbid drainage of low spots in fields or filling in marshes, again without compensation.

A more egregious example of the same phenomenon was related to me by Johnny Cooper, the Agricultural Extension agent of Fort Bend County, Texas. Seems six to eight specimens of a rare wild fowl known as the Attwater's Greater Prairie Chicken had been sighted in some thickets on private land in that farm county. The local Farm Bureau chapter proposed setting aside a large chunk of land extending at a radius of one to six miles from the site to protect the birds. The U.S. Fish and Wildlife Service, however, stunned local farmers by declaring that within a massive pie-shaped piece of land bordered by the San Bernard and Brazos rivers and U.S. Highway 59—an incredible 250,000 acres of private land in all—use of most pesticides and certain other farming activity would be flatly forbidden.

When that decision becomes final, the upshot will be to effectively shut down farming in one-quarter of this heavily agricultural county. "Either that or make liars of a lot of fellows," says Cooper, alluding to the fact that the farmer's word is often the only way of knowing what he's put down on a field. One other possibility, locals sigh, is that the little chicken band will get a severe case of lead poisoning late some night.

Uncompensated appropriation of the use of private land is becoming one of the most contentious issues dividing farmers and environmentalists, but there are other points of friction as well. Activists in Massachusetts with goals like keeping hogs and chickens in "family units" and banning any animal surgery that causes discomfort recently tried to place rigid restrictions on livestock production in that state. When a referendum on the subject went to ballot, the American Farm Bureau and other groups weighed in with paid advertising emphasizing the harm such measures would cause family farmers, and the measure was defeated by a 71 percent majority.

In other areas, however, environmentalists have had more success in influencing public opinion. Chemical usage is a prime example. A drumbeat of cautionary reports, some responsible, some not, has left many consumers concerned about food safety due to alleged pesticide residues. As scientific knowledge improves, farmers are using smaller and smaller

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chemical doses, and, on the whole, there is no question but that America's current food supply is safer and more wholesome than it has ever been. That fact is not reflected, however, in most environmentalist reports.

The recent case of Alar and apples was representative of the kind of harm done to both farming and the public interest by environmental extremism. Based on some grossly distorted science, and heedless of the near disappearance of the Alar preservative due to voluntary measures by apple growers, a group called the Natural Resources Defense Council panicked parents all across the country with claims that normal apple consumption could threaten children with cancer. Apples were removed from schools, and apple sales plummeted, doing grave damage to growers. A great many youngsters who had been eating wholesome snacks and desserts switched to something gummier. Forced to choose between strident negative claims and complicated rebuttals, "the public banned Alar," as one congressman put it. The politicians and EPA bureaucrats will soon follow suit.

> "It's a lot easier to be an environmentalist when you don't have to worry about worms in your pickles," says farmer Blake Hurst.

There are numerous other instances where calculated incitement of public hysteria by environmentalists resulted in over-hasty banishment of chemical compounds important to agriculture. Often, no thought at all is given to what might replace the compound in question, and in some cases the substitute has been considered even less healthful than the criticized target. Government certification of agricultural chemicals has become so involved, taking two to five years, that it increasingly does not pay manufacturers to keep their products on the market unless they are big sellers.

As a result, specialized compounds and bug controls for minor crops are disappearing, to the alarm of growers—not because they are unsafe but because sales aren't high enough to justify undertaking exhaustive environmental approval. Earlier this year, for instance, DuPont said it was discontinuing phosdrin, a vegetable insecticide, and azodrin, a cotton and sugar cane pesticide, because it wasn't cost-effective to spend the millions of dollars necessary to reregister them.

Another offshoot of unbalanced chemical alarmism has been the substitution of foreign-grown food for domestic production. When necessary chemicals become too costly or too hard to obtain, some crops cease being raised in the United States. The irony is, they are replaced by supplies grown in countries where monitoring of the safety of agricultural chemicals is far more lax. This is an important source of the increasing transplantation of American fruit and vegetable production to countries like Mexico and Chile.

Farmers themselves are pretty sensitive to the effects of agricultural chemicals. After all, in most cases they have to apply the chemicals themselves, and many farmers pointed out to me that it is their family drinking water that is affected if buildup becomes a problem. Since 1981, all farmers must pass a detailed test and be certified before they can buy and use restricted pesticides. Better, more selective chemicals that are used at rates just a fraction of what prevailed 10 years ago are now coming to market, and much more measured application is being practiced.

New techniques and technology promise further improvements. For instance, researchers have found that herbicides dissolved in vegetable oils are much more effective, allowing equivalent control with just one-fourth of current usage. Application equipment is now being designed. Forthcoming electrostatic sprayers will increase delivery efficiency even further—electrically charged droplets will wrap themselves around plants, allowing ultra-low-concentration solutions.

Since pesticide costs can total as much as 15 percent of a farmer's production expenses—billions of dollars a year nationwide—and only about 20 to 25 percent of conventional spray reaches its desired target, these improved practices can bring farmers dramatic cost savings while reducing environmental worries. The next stage, well underway, will be to attach cameras and other image sensors to the tool bars of tractors and set up a computer to digitize leaf outlines, turning herbicide nozzles on when it sees a weed and off when it doesn't.

Researchers at Purdue University have already developed color sensors that can assess the amount of organic matter in soil. Attached to fertilizer or herbicide rigs, they can calibrate the exact dosage of chemical to the earth being passed over. The technology is now being licensed and should be commercialized within about two years.

Other work by the Agricultural Research Service of the U.S. Department of Agriculture is examining ways to encapsulate fertilizer or pesticides in starch or water-resistant membranes, so a controlled amount applied directly to the soil will be released slowly, as plants need it, instead of in heavy conventional doses that can wash or leach away. More-fundamental research is aiming to give plants the ability to fix their own nitrogen—extracting it from the atmosphere where it is abundant, as legumes, vetches, and some other plants do naturally—so that no artificial fertilizer will even need to be applied. New technologies like these offer far more promise in solving environmental problems than any regulatory strategy.

Even absent bold new tools, farmers have begun to vastly improve their utilization of fertilizer and chemicals. Delaware vegetable farmer Charles West, for instance, makes four separate fertilizer applications on each crop of spinach, because multiple small applications are much more likely to actually reach the plant (and less likely to leach into the groundwater) than one big dose. Cover crops are also planted on almost all fields over the winter to help keep soil nutrient levels high. "If for no other reason than cost, you won't find anybody just dumping stuff on their fields anymore," says wheat grower David Magness.

And reducing use is usually all that is necessary. Agronomists have shown that most of today's farm chemicals are easily degraded by natural microbes present in the top four feet of soil. Provided they are not overapplied or too heavily watered in, modern chemicals could be used indefinitely in most places without threat of buildup.

Probably the single best way to get farmers to reduce their use of chemicals would be to free farm prices, so that growers would profit from paying more careful attention to their input costs. There is reason for hope on this increasingly fractious issue, if only environmentalists would acknowledge the new research on dosages and delivery systems and accept the confluence of economic and environmental interests when it comes to farm chemicals. Cost-driven conservation makes every farmer an antipollution force, but it only takes hold when farmers are exposed to the free market's powerful incentives to pinch pennies. One more voice on the side of subsidy reform could make a difference here.

> "If for no other reason than costs, you won't find anyone just dumping stuff on their fields anymore," says wheat grower David Magness.

Unfortunately, environmentalist sentiment seems increasingly unwilling to acknowledge the concept of an "acceptable" dose greater than none and ever more hostile to considerations of cost-effectiveness. Any discussion of the growing conflict between farming and environmentalism must ultimately look deeper than the subsidy problem and the economic divergences and consider the philosophical split. Modern environmentalism is slowly grinding its way toward a zero-tolerance standard which allows little room for compromise with productive goals. It frequently exploits, and feeds, what appears to be a rising antiscience, anti-material progress feeling among parts of the general public. In too many instances, critical agricultural advancement is being thwarted by environmentalism's opposition to new technology and sometimes even to research.

An example would be food irradiation, an efficient, scientifically uncontroversial method of preserving and sterilizing edible products without the use of chemicals. In a process that might be thought of as somewhere between microwave cooking and the airport luggage x-ray, low-dosage ionizing energy can be used to kill harmful organisms without leaving any radioactive residue behind. All meat products, for instance, could immediately be certified free of trichona, toxoplasmosis, salmonella, and other dangerous microorganisms via irradiation.

Irradiation is already used to sterilize food eaten by some hospital patients and by astronauts, as well as to make products like cosmetics and medical supplies. The United States Food and Drug Administration, the World Health Organization, and other regulatory groups have approved it for use on a range of commercial foods in countries around the globe. Hardly any food is so treated in the United States, however, because environmental and "consumer" groups have been able to mobilize public dread and opposition to any process with the word radiation in it, particularly since the Chernobyl panic.

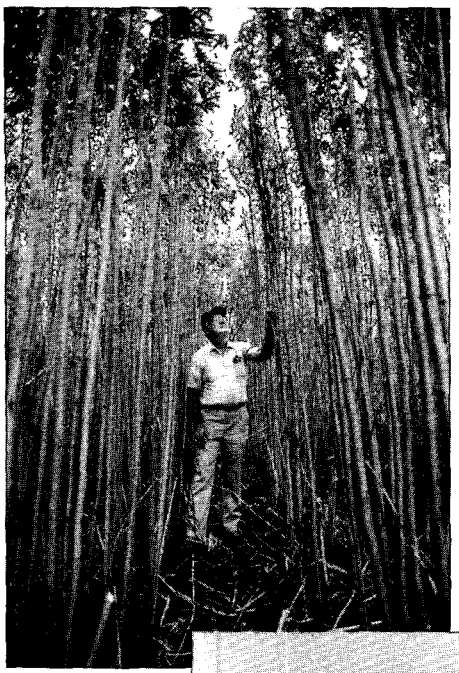
One of the agricultural scientists I interviewed suggested we are at the beginning of a new era which will increasingly see the substitution of botanical for mineral resources—plastics supplanting metals, plant and animal "factories" synthesizing a growing range of chemical compounds, new reliance on biopharmaceuticals, cultivated energy sources, and so on. Some of the procedures involved—genetic engineering, hormone therapy, cloning—are very new and make people nervous. There is little question, however, that the future will require more, not less, expertise in biological exploitation and management. Undue fretfulness in this area will mean lost opportunities and surrender of leadership on the newest science frontier to better-prepared competitors.

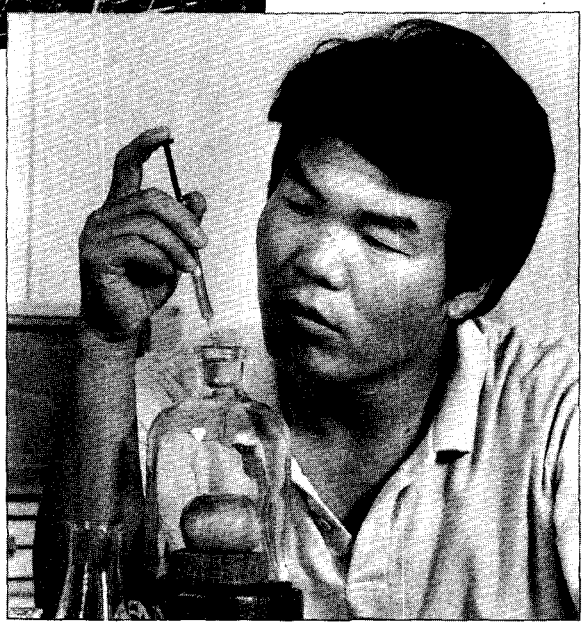
Some optimism is in order—current developments in bioresearch are exciting on several fronts. Originally, most agricultural study was oriented toward making farmers more productive and giving them new products. Most of that work is now done commercially rather than publicly, although the government does continue basic production research.

The second big push in agricultural research was to find new uses for agricultural products. Researchers continue to come up with fresh applications—biodegradable plastics made from vegetable starches are gaining attention now, as are industrial oils derived from plants, printing inks and engine fuels made from soybeans, alcohol fuels distilled from grains, and so forth. An entirely new commercial crop—bamboo-like kenaf—is

now entering production as an annually harvestable paper source. Researchers are even beginning to talk about making plastic films that could be used, for instance, as floor coverings from the casein in milk.

But the biggest hunt in agricultural research today is for new answers to health and safety questions. The latest research offers something for everyone—better quality and wholesomeness for consumers, improved efficiency for farmers, more benign ecological effects for environmentalists. Scientists are on the verge of identifying plants that can "eat" toxic compounds out of the soil, plants that can fertilize themselves, even plants that produce their own natural insecticides internally. Farm animals are becoming healthier and more efficient. Insects are being combated naturally through use of sterilization and other processes.





Kenaf (left) could replace trees as a paper source. Genetic engineering (below) promises riper tomatoes.

Development of biological controls to replace inorganic pesticides is an area of particular emphasis. Biocontrol is not new. For 100 years, U.S. scientists have been collecting, studying, and then releasing natural predators that attack nuisance weeds or bugs. The first microbial pesticide, a bacteria that infects Japanese beetles, was first distributed back in 1939 and can be bought by home gardeners at any hardware store under the name Milky Spore Disease.

But as scientists have begun more active measures to find and create natural pesticides via genetic engineering, even biological control has begun to be attacked by environmentalists. Earlier this year, the EPA gave permission to Crop Genetics International, a Maryland biotechnology company, to plant corn seeds inoculated with a bacteria that will live within the plant and kill any caterpillars that try to eat it. The technique could make the U.S. crop resistant to a borer that does $400 million of damage every year, even after farmers apply $50 million of pesticides. If the system works, the pesticides can be scrapped, and scientists estimate that Nebraska alone will have a 25 percent increase in its corn yields.

The biological agents tested so far are all variants of naturally occurring organisms. Before they are approved, manufacturers have to demonstrate that the agents won't kill beneficial insects in addition to their targets and that they won't spread to neighboring weeds, giving them unwanted predator immunity. If allowed to develop, a clutch of these new measures could bring dramatic containment of insect and weed threats without heavy use of invasive chemicals.

Farmers are enthusiastic, sensing a solution to the triple squeeze of decreasing availability, increasing costs, and possible environmental effects of chemicals. "The chemical companies tell us that to put a new pesticide in the market costs so much that they have to pass it on to us. Five years ago it used to cost me $60 an acre to spray cotton. Now it costs $120 to $130," says one cotton farmer. "We urgently need a different approach," agrees another.

Environmental groups, however, including the Environmental Defense Fund, the National Wildlife Federation, and the Audubon Society, have tried to block commercialization of the Crop Genetics product. Other nonchemical systems that would cause natural viruses to break out among crop pests, or stop their digestive tracts from functioning so they starve to death, have also met resistance from environmentalists who believe much more regulatory control is called for. The group Friends of the Earth has labeled bio-engineering "Russian Roulette."

Plant disease research may be thought of as at a threshold similar to when the new process of vaccination began to be used to protect humans. But rather than treating this as an exciting scientific refinement that requires normal laboratory precautions, many environmentalists insist biotechnology is a dangerous leap into wholly new territory. It is not. The National Academy of Sciences' Committee on Scientific Evaluation of the Introduction of Genetically Modified Microorganisms and Plants into the Enviroment concluded in a major report released in September that the process presents no unusual or unmanageable risks.

The technological progress made in improving and supplanting farm chemicals has been mirrored by positive developments in animal husbandry. Over the last 30 years half the fat has been taken off U.S. pork. Loin pork is now equivalent in cholesterol and fat to chicken, a very healthful improve-

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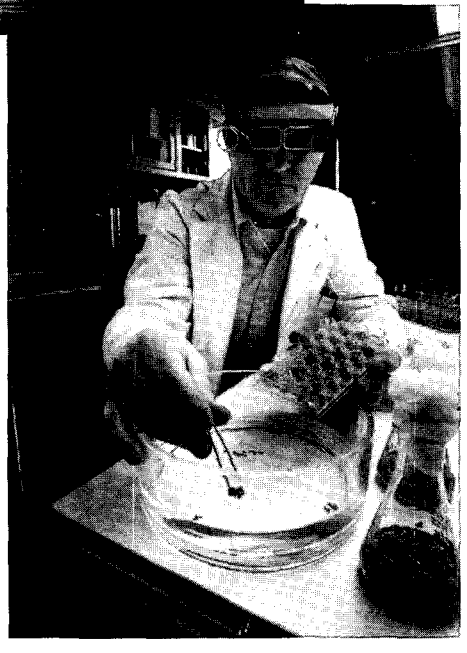
ment. Similar progress is being made with beef. If allowed to proceed, cloning, gene transfer, artificial insemination, and other biotechnology could improve leanness by another 50 percent.

Waste and costs in animal production are also coming down. In 1950 it took 84 days to raise a 4-pound broiler chicken, with a feed conversion rate of 3.25 pounds of feed for every pound of meat produced. Today, thanks to poultry inoculation, scientific breeding, controlled diets, and other factors, it takes 42 days, with a 1.9 feed conversion. Again, agricultural science has brought more efficiency, fewer unwanted byproducts.

Similarly, in 1945 there were 25 million dairy cows in the United States, and they produced 4,600 pounds of milk each. Today, we have just 10 million animals, but they put out an annual average of 14,000 pounds each. That can only be thought of as a boon for consumers, farmers, even cows (less competition for the most scenic grazing sites). Developments now underway could dramatically push that trend line upward again—except that environmentalists and some hidebound farmers may succeed in preventing it.



Scientists are exploring ways to find and create natural herbicides (right) and disease-resistant plants (above).

The biggest improvement on the milk horizon would come from use of bovine somatotropin (BST), a natural growth hormone that could boost milk output another 15 to 20 percent per cow. The U.S. Food and Drug Administration, which has already given the go-ahead to sales of milk from cows getting BST (it is indistinguishable from other milk) has concluded after careful study that BST is an entirely safe protein. Only some atavistic environmental groups continue to make the opposite case, and commercial approval is expected early in 1990.

But environmentalist opponents now organizing a scare and boycott campaign have allies in this case among dairy farmers, who have their own reasons for opposing BST. The dairy program is one of the most rigidly controlled of all the farm subsidies. The federal government supports milk prices at strictly controlled levels by buying up tons of surplus dairy products. If BST suddenly boosted milk output, keeping prices right where the dairy lobby has convinced Congress to set them could become very expensive—possibly a couple billion dollars a year beyond the similar figure already budgeted.

The obvious solution is to let prices fall, but dairy farmers used to their cozy cartel would consider that a calamity. Better to remain inefficient. So in this instance, bounty-inducing new technology is being resisted, on trumped-up environmental grounds, largely because the U.S. farm program makes it impossible for prices to adjust to changes in supply. Not only BST, but any other research that would increase efficiency in the ways that we have come to think of as synonymous with modern progress becomes anathema under this warped set of incentives.

What's the big loss, you say, not noticing any great milk shortage. Well, maybe none. But we don't know what benefits might accrue from cheap milk. There are always those floor coverings made from casein. And scientists think they may someday be able to extract rare medical proteins—such as the blood-clotting factor used to treat hemophilia—from milk. Progress can't be anticipated in advance, but we would definitely be foregoing something. And tactically, the timing of this case is bad. Because it is about to run up against the political might of one of the most venerable farm subsidies, biotechnology—in the BST case—is going to get a very black eye even before its potential has fully seated in the public consciousness. That could set a nasty precedent.

So we are back where we have ended up several times before in our tour of U.S. farming: concluding that without price reform—specifically, a return of market incentives—great opportunities will be lost. That, plus openness toward the new agricultural science, is essential to the future health of U.S. farming. A biotechnology cornucopia is about to open, offering riches on many fronts. Among other things, a flood of mutually beneficial innovations could heal the increasingly antagonistic relationship between farmers and environmentalists. But if that is to happen, both sides must be willing to embrace positive change. Stubborn insistence on blocking the door to progress could prevent a synthesis with truly rare potential to improve life for all Americans. ■

Contributing Editor Karl Zinsmeister is a Washington, D.C.-based writer and an adjunct research associate at the American Enterprise Institute. This article is the third in a four-part series. Next: How to get out of the subsidy trap.

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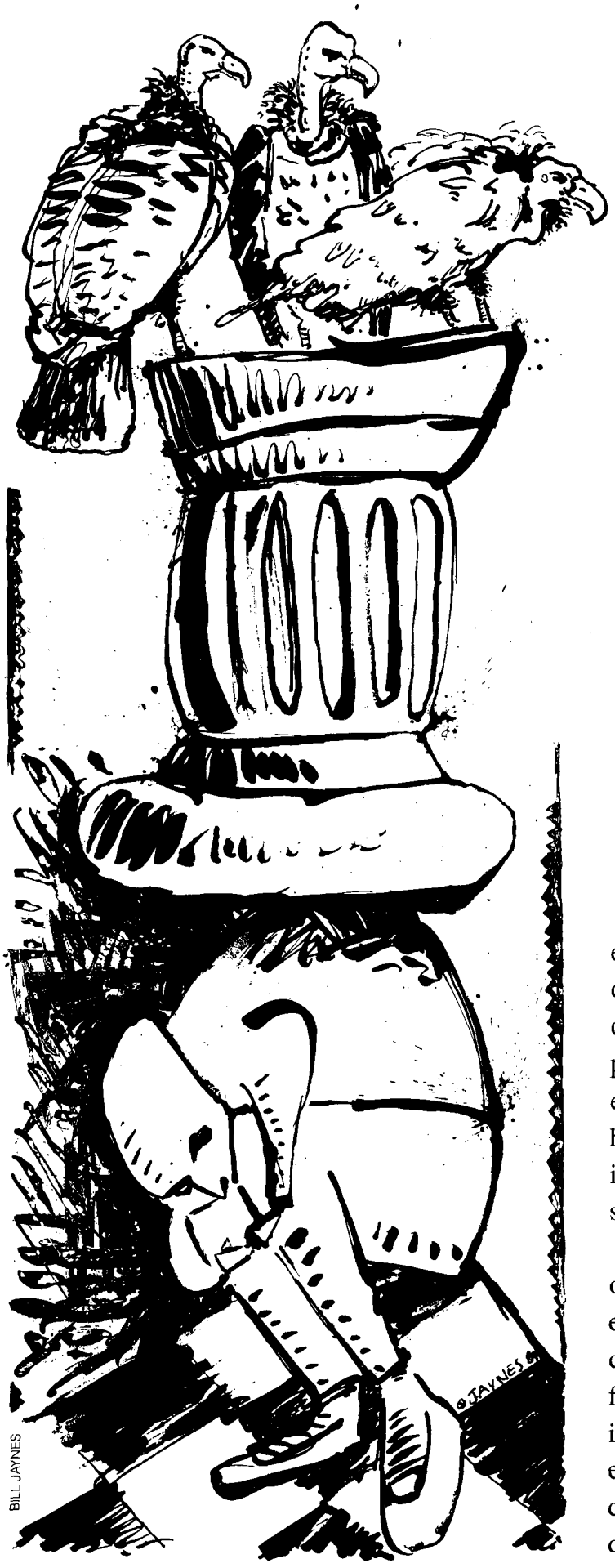


BILL JAYNES

PSYCHIATRY IN THE AGE OF AIDS

The doctors see a new chance to be jailers.

BY THOMAS SZASZ

Happiness and sadness, elation and depression are the emotions we normally experience in response to the good and bad cards life deals us. Suppose that a person of modest means desperately trying to win the lottery hits the jackpot. Suddenly he is rich, and he feels happy, even elated. Or suppose that a young and hitherto healthy person develops a debilitating and fatal illness. Suddenly he is sick and dying, and he feels sad, even depressed.

Obviously, one need not be a psychiatrist, or any other kind of expert, to think this way. That is exactly what is wrong with such a commonsensical formulation: It is too simple, and hence useless for the physician who wants to meddle—or forcibly intervene—in the elated or depressed person's life. To enable professional meddlers to engage in their specialty, it is necessary to define "extreme moods" as diseases. Consider how easy this is.

Experts at one of our leading medical institutions, the Johns Hopkins University Medical School, recently studied four patients suffering from AIDS who felt depressed. Did they view the patients' depression as a normal response to dying from AIDS? No. They interpreted it as itself a symptom, a psychiatric manifestation of AIDS. Why? To rationalize treating the patients with "electro-convulsive therapy" (ECT).

Rather than see depression as a normal response to dying, the psychiatrists called it a mental disorder to justify electro-shock treatment.

"Although major depression is not the most frequent psychiatric manifestation of infection with human immunodeficiency virus type I (HIV), it does occur in many patients," the researchers say in the June issue of *The American Journal of Psychiatry*. "Delusional depression has also been described in such individuals. The effectiveness of ECT for individuals with severe depression, especially those who do not respond to medication or who have delusions, is well established....We report here the successful treatment with ECT of four patients with major depression, three of whom were HIV-seropositive and one of whom had AIDS."

The technical details of this report need not concern us. What should concern us is that the authors do not mention whether any of their patients were involuntarily hospitalized and treated against their will. Since one of the patients tried to kill himself while in the hospital and another "had persistent suicidal ideation," it seems possible, if not likely, that some or all of these patients were the beneficiaries/victims of psychiatric coercion.

One patient was "a 35-year-old gay white man with AIDS [who] was transferred to our psychiatric ward after attempting suicide. He had tried to hang himself with pajamas while receiving inpatient psychiatric treatment in another hospital. The patient had a successfully treated episode of *Pneumocystis carinii* pneumonia four months before admission.....He believed he was a bad person and had persistent suicidal ideation....The patient received twelve ECT treatments, after which all of his depressive symptoms resolved....Response to treatment for depression: No relapse (patient died four months after discharge)."

This approach to the unhappiness of a young man mortally ill with AIDS nicely illustrates my old contention that conventional psychiatrists, especially those with a biological bent, perceive their task as exactly the opposite of the psychoanalyst's task as Freud defined it: "making the unconscious conscious." Obviously, this metaphoric process can flow in both directions: It is possible—indeed, easy enough—to make what is conscious unconscious, to repress, deny, obscure what is self-evident. When patients do this, psychiatrists call their reinterpretation of reality a delusion. When psychiatrists do it, they call it the successful treatment of depression with ECT.

Psychiatrists have latched onto the problems of AIDS patients as their ticket to renewed respectability within the medical profession. Says Dr. Stuart E. Nichols, Jr., chairman of the American Psychiatric Association's National AIDS Commission: "The AIDS epidemic presents unparalleled opportunities for psychotherapeutically oriented psychiatrists to rejoin the mainstream medical community....I think there are real opportunities with this illness for our profession to rejoin medicine and be a really valued, respected, esteemed medical specialty....This is a chance to demonstrate that psychotherapy can make a difference in people's lives....Every psychiatrist needs to be involved in this."

This is an absurd and arrogant assertion. Freud, Jung, Adler, and the other pioneer psychotherapists did not look to syphilis or gonorrhea or the many other devastating infectious diseases untreatable in their days as "a chance to demonstrate that psychotherapy can make a difference in people's lives." What makes Nichols believe that psychiatrists are able to relieve the perfectly realistic anxieties, depressions, and suicidal inclinations of AIDS patients? Or that doing so is, *prima facie*, morally praiseworthy?

Psychiatric involvement with AIDS does not stop here. Having no legitimate subject matter of their own, psychiatrists are ever eager to fill any vacuum that arises in the medico-social atmosphere. Such a vacuum now exists with respect to the management of the AIDS patient who knowingly—even deliberately, with malice aforethought—exposes others to infection. Psychiatrists and their lackeys have rushed to fill it.

In this case, as in many others, the psychiatrist's offer of help is simply a Trojan horse concealing the real agenda: coercion in the name of therapy. Indeed, psychiatrists are already offering their services as jailers. In the June issue of *The Psychiatric Times*, Dr. Lise Van Susteren describes a depressed patient who told her he had tested positive for the AIDS antibody but was continuing to engage in sexual activity without using condoms. Van Susteren suggested that he be admitted to a psychiatric hospital, and the patient agreed. But before long he was discharged.

Now Van Susteren became alarmed: "Soon he was back in my office....I asked him again about his sexual activities. I was devastated by his words—his threat to use his disease to 'conquer the world.' He told me that sometimes when he got angry with someone, an inner voice told him, 'Let's get this guy,' and he would try to have sex with him....I was convinced—by my understanding of his illness, by his history, by his demeanor,

and by the details of his sexual encounters—that he was telling the truth,...In a sweaty moment, I called a magistrate in Virginia to have the patient involuntarily hospitalized, in a forensic ward....He refused to swear out a warrant."

Van Susteren seems to have no doubt that such a person ought to be deprived of liberty and that the best place in which to imprison him is a psychiatric hospital. Not surprisingly, she has had no trouble finding support for her idea. Noting that there is a widespread belief that AIDS patients should be "quarantined," she laments: "However, there is no 'good' place to put such people." She then quotes a medical ethicist who further laments that "it is extremely difficult to have a patient who is not psychotic committed to a psychiatric hospital. And even if it is done, hospitals must ensure that other patients are not endangered."

Lest one dismiss this particular "ethicist" as just another justifier of legal expediency and psychiatric power, Van Susteren cites support for the psychiatric coercion of AIDS patients from a more impressive authority—the World Medical Association: "Many health officials believe that quarantining is the only effective answer for those few HIV patients who, despite attempts to educate or pressure them, cannot or will not stop putting others at risk. The World Medical Association recommends that authorities be notified of irresponsible patients in order to have them 'placed in a psychiatric hospital.'"

We must now ask: Exactly what sort of danger does an AIDS patient represent and to whom? Is his very freedom a threat to the community? Or does he endanger only some persons—for example, those who choose to share a needle or sexual favors with him? Van Susteren implicitly opts for the former view and cites a legal authority's reasoning to support her position: "Robert Goldstein, a law professor at the University of California at Los Angeles and a specialist in the law and psychiatry, asked, 'How is this patient different from the psychotic person who walks down the street with a gun, threatening to kill everyone?'" I find it shocking that Goldstein and Van Susteren, supposedly experts on psychiatry and law, see no difference between these two situations.

Exactly what sort of danger does an AIDS patient pose and to whom? Is psychiatric quarantine the answer? Psychiatrists think so.

In the first place, the gunman displays a lethal weapon; Van Susteren's AIDS patient does not. Second, the gunman publicly proclaims his intention to harm others; the AIDS patient does not. Third, the gunman commits an overt act that clearly violates the criminal law; the AIDS patient does not. Fourth, and perhaps most significant, the gunman's potential victims are passive, innocent bystanders vulnerable simply because they happen to be near him. By contrast, the AIDS patient's potential victims are active, vulnerable because, and only because, they have decided to engage in a sexual act with him. It is hard to say whether the analogy between the gunman and the AIDS patient is stupid or scheming, or both. But there is no valid analogy between the two at all.

Of course, this is not to say that Van Susteren's AIDS patient is not dangerous. Obviously he is. But not randomly. If one were looking for an analogy for the danger Van Susteren's "irresponsible" AIDS patient poses to society, it would not be the danger that a "gun-toting psychotic" poses; instead, it would be something rather like the danger a careless skydiver poses. Clearly, if a sensible person wished to engage in skydiving, he would not want such an unreliable individual to pack his parachute. Indeed, any self-respecting sky diver would want only someone whom he knew well and who had merited his trust to pack his parachute. Sex, especially, between males, is a similarly dangerous sport.

The encounter between the AIDS patient and the psychiatrist is thus another example of psychiatry's denial of moral agency and its war on responsibility. That, after all, is the bottom line in the analogy between the gunman and the AIDS patient: Since, in the psychiatric view, the AIDS patient endangers others regardless of their conduct, he is a threat to the general community who deserves to be incarcerated—for the protection of society and the treatment of his illness.

But why in a mental hospital? Whatever controversy there may be about the psychiatrist's proper social role, one thing is clear: It is not his job to forcibly isolate people who suffer from contagious diseases. Accordingly, the proposal that "irresponsible" individuals infected with AIDS be psychiatrically imprisoned ("mentally hospitalized") is both absurd and abhorrent. Nevertheless, the fact that so important an international organization as the World Medical Association endorses this policy should be a warning—as if the role that psychiatrists played in Nazi Germany and the Soviet Union were not warning enough—of how prone the psychiatric profession is to moral corruption by social and political fashions.

How is the psychiatrist's zeal to quarantine "irresponsible" AIDS patients to be reconciled with his behavior when he or a colleague is (potentially) HIV-positive or actually suffers from overt manifestations of the disease? In the hypocritical way typical of involuntary psychiatric interventions: They are for patients only!

A report in the June 2 issue of *American Medical News* describes a physician-patient whose psychiatrist helped him "find a hospital for AIDS-related treatment because the trainee did not want his colleagues and supervisors to learn of his

condition." After the patient died, the head of his department complained that "the patient's analyst was colluding" in keeping the illness secret. The analyst justified his behavior by explaining "how closeted the patient felt he had to be." Was that responsible behavior on the part of the physician-patient? Or his analyst?

Psychiatrists deplore the irresponsible behavior of AIDS patients, but the story's different when it comes to the doctors' own behavior.

The inconsistency between the psychiatrist's recommendation that the "irresponsible" AIDS carrier be quarantined and the psychiatrist's own behavior gets even more glaring. The *American Medical News* article quotes Nichols, chairman of the APA's National AIDS Commission: "'I've chosen not to get tested,' added Dr. Nichols, 'and I have to defend that position' to patients who ask his status. A number have asked him if he is facing reality by not undergoing an antibody test. 'Probably not,' he tells them, 'but it's my decision.'" Another psychiatrist "who said he also chose not to undergo HIV antibody testing said he can cope with the anxiety of not knowing his status more easily than he could with the knowledge that he was infected."

Are these psychiatrists behaving irresponsibly? Would they meet Van Susteren's and the World Medical Association's criteria for commitment to a mental hospital as "irresponsible" AIDS carriers? Or is this another case illustrating the Indian adage that it all depends on whose ox is gored?

So we see psychiatrists electroshocking AIDS patients to cure their depression and save them from suicide; giving AIDS patients psychotherapy to prove that psychiatrists are real doctors; seeking to incarcerate AIDS patients in mental hospitals to protect others from being infected by them, and, last but not least, just posturing to show what good guys they are. Declares Dr. Herbert Pardes, president of the APA: "At the least, mental health professionals must be prepared to do the following: help patients cope with the tremendous adversity associated with their disease...support partners and families...help strengthen community prevention efforts...fight discrimination against AIDS patients on all levels—local, state, national."

The last pronouncement is especially persuasive coming as it does from the president of a group with a special interest in stigmatizing people. But when it comes to breast-beating and self-congratulation, the psychiatrists are hard to outdo. Concludes Pardes: "Thus, the first step for all of us is to decide that AIDS is everybody's problem and that no one shall be left to suffer alone. I have already made my decision."

Unctuously parodying Mother Teresa, Pardes unwittingly betrays the psychiatrist's incurable propensity to meddle—not only in the AIDS patient's misery, but in everyone's life. For what business of Pardes is it to declare that "AIDS is everybody's problem"? In fact, nothing is a particular person's problem, unless he assumes responsibility for it or someone else forcibly imposes responsibility for it on him.

For centuries psychiatrists waged war on the homosexual, notwithstanding their sudden peace overture of 1973, when they repealed the classification of homosexuality as a disease. In AIDS the psychiatrists may have found the reinforcements needed to mount a new, even more promising crusade. With an estimated one million Americans testing positive for HIV waiting in the wings, happy days are here again for psychiatry.

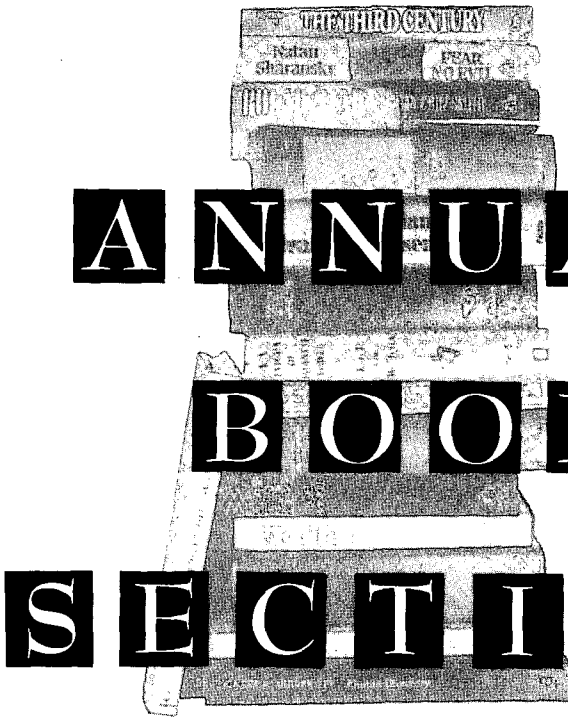
Mad doctors once claimed that homosexuality was a disease and offered their services to protect the community from it by stigmatizing and segregating the so-called patient. Now they claim that depression experienced by a person suffering from AIDS is a symptom of the HIV infection and offer their services to cure the depression with electroshock treatment.

As a bonus, they generously throw in their willingness to imprison ("hospitalize") the "irresponsible" AIDS patient (who often happens to be a homosexual). How many psychiatrists currently agree with this position is uncertain. How many will agree with it in the future will clearly depend on how fashionable and lucrative it turns out to be.

We live in remarkable times, politically as well as psychiatrically. In the communist world, people clamor for democracy and freedom but seem not to have the least inkling that the term *democracy* refers to a type of social organization based on respect for private property and the rule of law, and that the term *freedom* is meaningless if it does not include the freedom to own, save, invest, and inherit property. We, in the free West, are similarly confused, not about the relationship between private property and individual liberty, but about the relationship between private health and individual liberty. We have lost sight of the fact that the term *freedom* is meaningless if it does not include the freedom to be sick, to remain sick, and to die in one's own way. The relationship developing between AIDS patients and the psychiatric profession is a case in point.

Clearly, *plus ça change, plus c'est la même chose*. Should we celebrate the reliability of the psychiatric physician, so loyally and eagerly rallying to society's every passing need to rid itself of its unwanted members? Or should we fear it as an ever-present danger built into this alleged medical specialty at its creation, against which we must always guard ourselves? Perhaps we should even consider the possibility that the actual and potential evils of psychiatric coercion so outweigh its alleged benefits as to justify the abolition of psychiatric slavery altogether.

Contributing Editor Thomas Szasz is a professor of psychiatry at the SUNY *Health Science Center in Syracuse, New York.*



ANNUAL BOOK SECTION

The Best Things in Life

BY CHARLES MURRAY

✍ ✶ ○ ✓

Robert Nozick's new book is finally out. Rumors of it have been circulating among his admirers for years, along with considerable excitement, for Nozick's 1974 book, *Anarchy, State, and Utopia,* was to many people—I'm one of them—one of those rare intellectual experiences that forever after alter one's way of looking at the world.

It has been a long wait. True, in 1981 he published the mammoth *Philosophical Explanations*, an admirable book, but one unmistakably written by a philosophy professor for other philosophy professors. In *The Examined Life*, the Nozick of *Anarchy* returns—not as antic as before, clearly older, but speaking with the inimitably Nozickian voice.

The voice returns, but not the same themes. Those who seek *Anarchy, State, and Utopia Revisited* will be disappointed. This time, Nozick writes about how life is to be lived. "I want to think about living and what is important in life," he begins, "to clarify my thinking—and also my life." And with that he sets out on a wide-ranging, thoughtful consideration of the best things in life, the most important things in life, and how they fit in with the ways we go about living our lives day by day.

It is a book like no other. Imagine that you have an extraordinarily intelligent friend, curious and witty, appallingly well-read, who drops by after dinner. The two of you retire to the library, perhaps with a snifter of something to sip on, put a fresh log on the fire, and talk deep into the night about things you care about. That's what reading *The Examined Life* is like.

The book meanders. Through the first nine chapters, with such diverse titles as "Dying," "Parents and Children," "Creating," "Sexuality," and "Emotions," the book seems to be a set of meditations on discrete topics—all interesting, all important, but disconnected. Beginning with the discussion of emotions, however, and becoming plainer in the subsequent chapters, the connecting theme slowly emerges, one so simple that it is difficult to describe. Roughly: Life should be intimately bound up with reality.

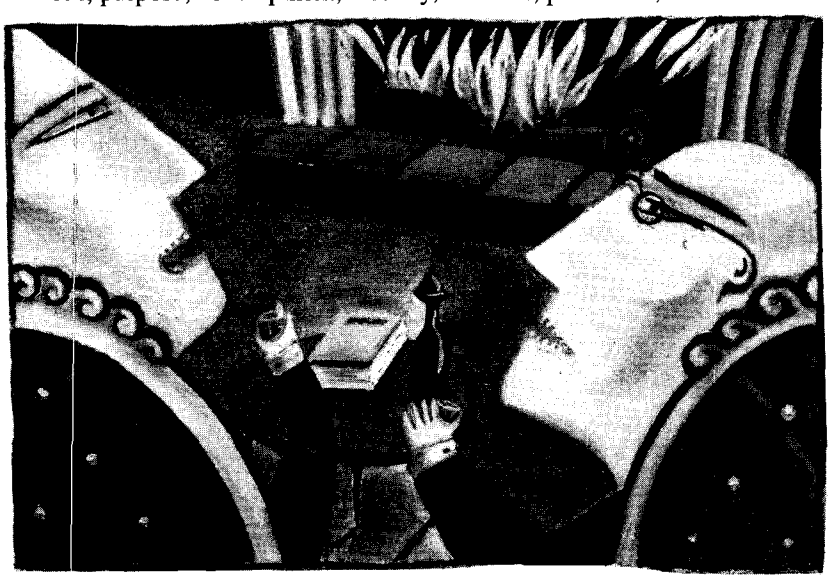
The Examined Life: Philosophical Meditations, By Robert Nozick, New York: Simon & Schuster, 320 pages, $21.95

The ramifications of this thought take Nozick another 18 chapters to tease out, but the point of departure is intuitively attractive, introduced by Nozick's "experience machine," a thought experiment from *Anarchy* that he resurrects for this book. If there were a machine that could perfectly simulate a perfect life (define "perfect" however you please), would you choose to be plugged into the machine and live the rest of your life hooked up to it instead of living in the real world? Hardly anyone would choose the experience machine. In effect, the core of *The Examined Life* explains why. There is intrinsic value in

being connected with reality, and much of what constitutes the examined life is an effort to become "more real."

Thankfully, Nozick's discussion of reality steers clear of the great epistemological arguments about whether we can know reality. The aspects of reality that concern him are things like value, meaning, weight, and importance, and Nozick grounds the discussion in the kind of issues that the rest of us worry about. For example, the chapter entitled "Importance and Weight" opens with this sentence: "We want to be important in some way, to count in the world and make a difference to it." Can there be a reader anywhere who does not know what Nozick means? Who does not suddenly want to know more about what Nozick is going to say about "importance"?

In the middle of these meditations, Nozick plunges for one long chapter into a complex exercise in which he tries to organize all of the dimensions of reality. "Let us consider the widest possible list of relevant evaluative dimensions," he writes. "It contains (take a deep breath): value, meaning, importance, weight, depth, amplitude, intensity, height, vividness, richness, wholeness, beauty, truth, goodness, fulfillment, energy, autonomy, individuality, vitality, creativity, focus, purpose, development, serenity, holiness, perfection, expressiveness, authenticity, freedom, infinitude, enduringness, eternity, wisdom, understanding, life, nobility, play, grandeur, greatness, radiance, integrity, personality, loftiness, idealness, transcendence, growth, novelty, expansiveness, originality, purity, simplicity, preciousness, significance, vastness, profundity, integration, harmony, flourishing, power, and destiny." He then proceeds to construct a multidimensional "polyhedron of reality" incorporating all these dimensions. Ingenious and theoretically important as the polyhedron might be, it didn't work for this book (for me, at least). But it's hard to complain too much when the author has introduced the discussion by writing, "Some readers will not find this section reverberative....If so, I suggest they move directly to the following section, saving the two of us unnecessary pain."



Nozick's forte is in talking about the elements of reality one at a time—the integrating themes come through naturally, without forcing. Simply *paying attention* is as important a theme as any. I sit at my computer, drinking coffee, a violin concerto playing in the background, thinking about what I think of Nozick—and Nozick is rightly pointing out, in various ways, that I would be much better off doing just one of these things at a time and doing it more fully and attentively. In this, Nozick's thought has been influenced by Buddhist views of reality and a variety of East Asian and South Asian meditative techniques. The chapter on enlightenment draws most obviously from these experiences, but so also do the chapters entitled "The Holiness of Everyday Life," "Focus," "Being More Real," and "Selflessness," among others. This is a major virtue of the book.

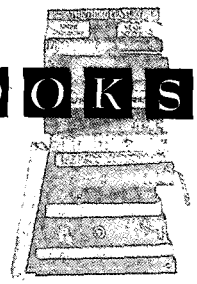
The Buddhist meditative schools have riches to offer to Western thinking, but they tend either to have been ignored by mainstream Western students of philosophy or embraced with the excessive fervor of the newly converted. Nozick draws on these traditions knowledgeably and respectfully but weaves them into the lessons he has learned from Western thinkers—just the right kind of intellectual ecumenicism.

What is most endearing and most valuable about *The Examined Life* is Nozick's determination to engage the reader as a partner. He does not lecture. He does not posture. He is not being the cool professional who deals in ideas, plying his trade. He is an adult fascinated and perplexed by life in ways that fascinate and perplex all of us who reach a certain age and still try to figure out what life's all about.

It thus seems true to the spirit of *The Examined Life*, though in violation of the conventions of book reviews, that I refrain from pointing out in a few snappy sentences where I think Nozick is wrong. There are many things I would like to argue with him about, but the point of the book is precisely to evoke from the reader what he thinks, and in doing so to enable the reader to think better and more clearly on these topics. It almost doesn't matter whether you think Nozick is right.

For me, the most obvious example of this is the chapter on the Holocaust. Nozick's thesis is that the Holocaust is momentous beyond our power to comprehend; that "the Holocaust is an event like the Fall in the way traditional Christianity conceived it, something that radically and drastically alters the situation and status of humanity." He proceeds to expand on this theme in ways that I find bizarre. However, it is also true that since reading that chapter I have found myself thinking about the Holocaust and thinking about the Christian concept of redemption. (Nozick writes that "whatever changed situation or possibility the crucifixion and resurrection were supposed to bring about has now ended: the Holocaust has shut the door that Christ opened.")

BEVERLY HONG



The chapter about the Holocaust still hasn't convinced me and probably never will. But it has made me think, hard, about something important.

But what about the political Nozick of *Anarchy*? What about that soaring, supremely confident justification of the minimal state? Toward the end of the book he confronts that question. "The libertarian position I once propounded now seems to me seriously inadequate," he writes, "in part because it did not fully knit the humane considerations and joint cooperative activities *it left room for* more closely into its fabric." I have added the italics, for I think Nozick is pointing to an inadequacy in *Anarchy* that is generic to various celebrations of individual freedom: They tend to imply a world of sovereign individualists barely talking to one another except to carry on formalized transactions; they tend to ignore the many ways in which individual freedom can facilitate, enrich, and energize community life—including cooperation, compassion, altruism, and "humane considerations" of all sorts.

In *The Examined Life*, Nozick makes this one statement about *Anarchy* and refuses to elaborate. Nozick's subsequent reflections about politics stress that "there are some things we choose to do together through government in solemn marking of our human solidarity." And he almost offhandedly indicates approval of some governmental measures—antidiscrimination laws, for example—that will horrify many of his libertarian admirers. Such remarks are part of Nozick's struggle to come to terms with the discrepancy between the ideal and the actual, a discrepancy that he sees in capitalism as in communism and Christianity. "The temptation is to say simply that none of the actual [negative outcomes] was intended by the originators or founders of these ideals...," he writes. "But this reply will not do. That is how those ideals operate, over and over again, in this world, on this planet, when we are the ones who do the operating. That is what they come to, what we make them come to."

But isn't it also true that that's how the ideals of social democracy operate "over and over again?" That when we pass antidiscrimination laws (to pick up on that particular example), they inevitably become corrupted as they in fact have been in the United States in the last two decades? And that being the case, doesn't one still have to decide what the ideals are and to work to translate them as best one can into the real world? And in this context, aren't the ideals in *Anarchy* still valid?

Nozick acknowledges only that such questions exist, making us wait for another book to find out in detail what he now thinks of the minimal state and utopia. But for those who wonder how *The Examined Life* fits in with Nozick's earlier work, there is already a simple answer: In *Anarchy*, Nozick meditated on human freedom. Even given freedom, however, human beings still have to live their lives. This time, Nozick helps us think about what freedom is good for. *The Examined Life* is a book for grownups—not just because having lived a number of years makes it easier to understand what Nozick is talking about, but because it is the process of living those years that leads one to need such a book. "There are very few books that set out what a mature person can believe—someone fully grown up, I mean," he writes in the introduction. Robert Nozick has added to their number.

Charles Murray is Bradley Fellow at the Manhattan Institute and the author of In Pursuit: Of Happiness and Good Government.

A Tokyo Tocqueville

BY PAUL H. WEAVER

Some 160 years ago, a young Frenchman set out on a journey to study prisons in the United States, returning home after many months to write, in addition to the planned monograph, a truly great book about politics in a democratic age. His name, of course, was Alexis de Tocqueville, and *Democracy in America* is without peer in plumbing both the character of the first new nation and the political trends that shaped the century that followed.

Now a Dutch journalist named Karel van Wolferen, based in Tokyo for the last 25 years, has written a book that does something similar for Japan and, I fear, for the next scene in the global melodrama. It's called *The Enigma of Japanese Power*, and it paints a somewhat terrifying picture of the world's dominant economic power.

Van Wolferen argues that Japan, behind a façade of constitutional democracy and free markets, is actually an oligarchy. Seemingly modern institutions supposedly under popular control are in reality insulated from outside influences and are run by tiny, self-appointed cliques in their own interest. Politi-

cally speaking, no one is in charge. Formal policymaking and representative institutions (parties, parliament, prime minister, elections) are shell games worked by ministries, top bureaucrats, and corporate interests to their own self-chosen ends. The state is weak; sovereignty scarcely exists. Big issues concerning the public interest and the fate of the nation aren't addressed or dealt with. Japan is a juggernaut on a course no one can predict or control.

Power in van Wolferen's Japan is located mainly in the huge, cartel-minded, export-oriented megacorporations. They are coddled by policies making capital cheap, labor docile, investors loyal, and customers abject. They're carefully exempted from any really dangerous foreign competition in the home market. They're free to pursue an obsessive desire for sales volume and market power with little regard for the costs and risks that such a strategy entails in ordinary circumstances. Proof of the corporations' privileged position is the fact that the Japanese, though they outproduce everyone in the world, enjoy a living standard not much above that which prevails in the Soviet Union.

The Enigma of Japanese Power, By Karel van Wolferen, New York: Knopf, 496 pages, $24.95

Contrary to most observers, van Wolferen argues that the Japanese system isn't a simple case of pluralism or corporatism with an Oriental accent. The Japanese system, he holds, stymies the popular participation that pluralist and corporatist theory assume. It is, in an ancient and useful term he doesn't make use of, an oligarchy.

Van Wolferen has written a subtle, richly detailed book that ranges widely through Japanese history, culture, and postwar politics. Though written by a person immersed in Japanese events and personalities of the past two decades, van Wolferen's book is much more than journalism. It's a work of high social theory that rises above the conventional social science because the author isn't isolated in a methodological and disciplinary cloister. His theory grows out of intimate, direct, personal knowledge based on experience as well as scholarship. One quickly comes to trust and like the author.

This is a scary book. Van Wolferen writes in part to warn the West that Japan really is different. Uniquely among modern nations, van Wolferen's Japan is capable of behaving in ways harmful to itself and others. Oligarchy has a profound blindness to the consequences of actions that serve the oligarchs' interests. That, says van Wolferen, is why the Japanese military regime attacked Pearl Harbor in 1941 despite the vastly superior industrial might—and, therefore, the superior eventual military might—of the United States. Van Wolferen's main point is that Japan today is quite capable of undertaking the economic equivalent of Pearl Harbor, for example, by continuing to expand exports but not imports regardless of its increasingly protectionist-minded trading partners' rage, thereby inviting a global economic holocaust.

If van Wolferen is right about this, the implications for U.S. trade policy are ironic, however. In the months since the book was published, van Wolferen has been assailed by Japanese and their many American academic apologists and warmly embraced by American protectionists, as if the book called for tough retaliatory measures against what Peter Drucker terms adversary trade. Actually, what van Wolferen's thesis suggests is that it's futile to pressure the Japanese to lower their trade barriers on pain of being shut out of the foreign markets that have made them so rich. If Japan works the way van Wolferen says it does, section 301 retaliations by the United States won't have the slightest impact on Japanese trade policy. They'll merely touch off a fresh chorus of Japanese self-pity over their unfair victimization by the *gaijin* losers and fresh PR to hypocritically reassure foreigners that Japanese protectionism is on its way out even as the trade barriers that are driving Japan's trading partners around the bend are given a new lease on life. Van Wolferen's subtext is that only the United States can prevent a protectionism-induced worldwide depression à la 1930—that no matter how badly the Japanese may act, the correct U.S. response is never to respond in kind. Thus the people who really ought to be celebrating van Wolferen's thesis are the adversary traders in Tokyo and the free traders in Washington! U.S. protectionists can take little comfort in this book.

I am not sure, however, that van Wolferen is entirely correct in his analysis. Like Tocqueville's effort to explain everything about America in terms of equality of condition, van Wolferen's oligarchical thesis slights some important realities. The Japanese system has an ability to change directions and act prudently that van Wolferen doesn't do justice to. He eloquently explains the extraordinary political career of Kakuei Tanaka, prime minister from 1972 to 1974 and for a decade thereafter the kingmaker of the Liberal Democratic Party. It was Tanaka who set Japan on its present course of export-oriented economic growth; who ditched the left and built a new (if corrupt) foundation under the dominant LDP; who presided over the forging of an entente between industry and environmentalism; who, in short, put together the Japan the world has come to know and respect and fear over the past two decades. Yet van Wolferen's theory in effect denies that leadership on such a scale, involving the exercise of sovereignty and a change in national direction, is possible in Japan.

Van Wolferen's failure to acknowledge Japanese political leadership is paralleled by a slighting of Japan's business achievements, which he attributes largely to public policies that starve the consumer sector and to corporate structures that enable Japanese managers to invest vast sums over long periods at little or no profit. These, to be sure, are important advantages, but they are far from telling the whole story.

Van Wolferen says nothing about the leadership and organizational resources that, in less than a decade, enabled the Japanese automakers to shift from producing tiny, ugly,

underpowered, rickety econoboxes for the domestic market to producing what are by far the best cars in the world, vehicles that dominate the biggest auto markets despite protectionist barriers and that are earning enormous profits in the process. And the case of Japanese car companies isn't unique. In industry after industry, the Japanese have shown an astonishing ability to boldly respond to markets different from their own and to outperform non-Japanese competitors well entrenched in those markets. Where have Japan's supposedly pampered business oligarchs, supposedly isolated from any need to deal with others on the others' terms, found the incentives and skills to undertake the redefinition of their own businesses—and their own managerial roles—that their recent competitive success has entailed? To my mind, this is the central puzzle about Japan. Van Wolferen doesn't illuminate the issues involved.

The Enigma of Japanese Power is Toquevillian in the prophetic as well as the analytic sense. Reading this volume, I was often struck by how strongly the United States and other industrial societies are coming to resemble van Wolferen's Japan.

The book calls to mind the extent to which the Western economies are tranforming themselves along Japanese lines. Responding to the challenge from the East, many American and European firms are following their Japanese competitors in improving product quality, involving employees more intimately in the life and affairs of the workplace, and developing better products for new or newly segmented markets. In Washington and the state capitals, there's been growing emphasis on tax and other policies to boost economic efficiency and growth.

But there are sharp limits to the extent to which the West is apt to reproduce Japan's economic miracle, which van Wolferen's analysis suggests is *sui generis* to a very substantial extent. For example, it'll be a cold day in hell before policymakers in the West start starving consumers and fattening producers in the Japanese manner, or before Western corporations develop the social homogeneity and unity of purpose that enable large, bureaucratic Japanese firms to attain levels of creativity and competitiveness usually associated with small, new, entrepreneurial firms.

For me, the really striking areas of convergence between East and West suggested by van Wolferen are political and cultural and involve not the Americanization of Japan but the Japanification of the American political system. Van Wolferen's demonstration of how Japanese leaders create the illusion of governing in the public interest while actually avoiding issues and serving the oligarchical powers that be reminded me of how, in an age of news media, spin management, and political action committees, our own politics seems increasingly to work the same way. Our political parties, like Japan's, neither represent nor govern. Our policymakers, like Japan's, spend most of their energy posturing in behalf of the public interest while always making sure that nothing they do would give offense to any substantial organized interest and that most of what they do serves those interests. Our media, like theirs, generally cooperate

Tanaka oiled the Japanese export machine.

UPI / BETTMANN

with dominant institutions in putting out the deluge of thematic events that conceal and legitimate oligarchy. Our culture, with its modernist relativism, has less and less room for universalistic notions of morality and truth whose absence in Japan, according to van Wolferen, is a key reason for the oligarchy's ability to manipulate the system.

In only one way—but it may be a decisive way—does the United States appear not to be converging on the Japanese model: in the scope we give to the individual as a cultural ideal, legal reality, and fact of social life. In Japan, writes van Wolferen, the individual scarcely exists, and Japanese rhetoric to the contrary notwithstanding, there's little reason to think that the individual will become a force anytime soon. The Japanese, van Wolferen argues, can't change jobs or residence at will, are subject to minute (if polite) police surveillance, and have limited rights at law and very few lawyers to help enforce them. Indeed, the system of social control he describes is so tight that in many respects the Japanese individual seems less free than a Russian under Stalin or a Chinese under Mao. In Japan, there are no dissidents. Though van Wolferen doesn't make this explicit, the implication is that U.S. survival may well rest on its ability to remain true to the better angels of its individualist nature.

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License to Thrill

BY MARTIN MORSE WOOSTER

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Why do spy novels continue to be popular? The typical answer is that the people who read spy novels would like to know how the world *really* works. That, to me, is only a partial answer; there is more inside information about world affairs in any issue of the *The Economist* than in a spy novel. A more plausible explanation is that spy novels are the only popular form of fiction that uses offices and office politics as a basis for creating adventures. Most of us work for organizations, and most of us have had disputes with our bosses or our colleagues. The spy novel takes the conflicts of office life and magnifies them. A reader used to thinking, "Joe Downthehall is a lousy person and a bad worker" can easily immerse himself in a novel whose initial premise is "Joe Downthehall is a terrible person; *could this mean he is a tool of Moscow*?"

The Russia House, By John Le Carré, New York: Knopf, 353 pages, $19.95

Berlin Game, Mexico Set, and London Match, By Len Deighton, New York: Ballantine Books, $4.95 each, paper

Polar Star, by Martin Cruz Smith, New York: Random House, 386 pages, $19.95

Clear and Present Danger, by Tom Clancy, New York: Putnam, 656 pages, $21.95

The Circus Master's Mission, by Joel Brinkley, New York: Random House, 395 pages, $18.95

Until the 1960s, most spy novels were set in exotic foreign settings, as the influence of Ian Fleming and his disciples dominated the genre. Then, in the early 1960s, two British novelists—Len Deighton and John Le Carré (a pseudonym of David Cornwell)—discovered that the spy novel centered on bureaucratic maneuverings could be as popular as one set in casinos, yachts, or tropical resorts.

A quarter-century later, both Deighton and Le Carré are still active; they are the two best British spy novelists. Le Carré is the better novelist, with a fine, dry style, strong characterization, and occasional wry wit. Deighton is the better entertainer, is more prolific, and has a wider range. While Le Carré's only nonspy novel, *The Naive and Sentimental Lover*, was a dismal failure, Deighton easily alternates among World War II novels, nonfiction war stories, and even the occasional science fiction novel. Politically, Deighton is probably a conservative; Le Carré, a leftist.

During the 1980s, Deighton's best work has been in his Bernard Samson sequence: *Berlin Game*, *Mexico Set*, and *London Match*. (*Winter*, a related 1985 novel, portrays events in the lives of the parents and grandparents of characters in the *Game, Set, and Match* trilogy.) These books revolve around Bernard Samson, a fortyish senior spy called out of a desk job to decide how many traitors there might be in London Central.

There is little difference between the plot of the novels and the plot of the Granada Television adaptation, "Game, Set, and Match," shown on PBS last spring. What the television script lacks are Deighton's funny, often poignant comments about life, many of them quite conservative. Here, for example, is Bernard Samson on communism: "I hate the Communists and the stupid sods in this country who play their game and think they are just being 'caring, sharing, wonderful people'....I've seen them back where they came from, back where they don't have to wear the plastic smiles or hide the brass knuckles."

In *London Match*, Deighton pursues this theme further, as defector Erich Stinnes shows his intellectual side by arguing that Marxism-Leninism is a failed form of Christianity: "'God is dialectical materialism; Christ is Karl Marx; the elect is the proletariat, and the Second Coming is the Revolution.' He looked at me and smiled.

"'How do Heaven and Hell fit into all that?' I asked.

"He thought for a moment. 'Heaven is the socialist millenium, of course. Hell must be the punishment of capitalists.'"

But Deighton's favorite theme is the city of Berlin itself, which he uses as a prism through which to view German culture and German history. One sees quite a bit of Berlin in the trilogy, from the world's first automobile beltway (designed by the Nazis) to the anarchic Kreuzberg region of West Berlin. Everywhere Samson and his antagonists travel in Berlin, there are sad reminders of our ugly and brutal century. When Samson and a colleague walk along the Landswehr canal, for example, Deighton tells us that in 1919, communist leader Rosa Luxemburg's body was thrown into the canal, while in 1920, the police fished out of the same canal another woman, who claimed to be the Grand Duchess Anastasia, only surviving daughter of Czar Nicholas II.

These observations about German history and German culture make the *Game, Set, and Match* trilogy memorable. English speakers sometimes find German history and culture impenetrable; Deighton uses the touchstones Berlin provides to add weight and depth to his work. Future critics will think of Deighton as an entertainer, not a major novelist, but he is a superior entertainer and one of the more important spy novelists of our time.

By contrast, John Le Carré will probably be remembered as a major novelist, the natural successor to Graham Greene. He wrote his best work in the 1970s, with the sequence of novels beginning with *Tinker, Tailor, Soldier, Spy* and continuing with *The Honorable Schoolboy* and *Smiley's People*. These novels center on George Smiley, a laconic, unspectacular scholar who represents the best elements of the British character. He is a hero, and his chief foe, the KGB operative Karla, is a worthy antagonist. Although the plots in this series prove increasingly byzantine (British traitor Kim Philby once said that he gave up reading Le Carré after *Tinker, Tailor* because Le Carré's plots were much more complex than real life), they are nonetheless original, innovative, and memorable.

In the 1980s, however, Le Carré abandoned Smiley for protagonists who became increasingly amoral. In *A Perfect Spy* (1986), for example, the central character, Magnus Pym, is a traitor who has a tortured relationship with his father.

The good news about *The Russia House* is that Le Carré no longer believes in moral equivalence. The bad news is that he apparently now feels that the Russians are good and Americans are wicked.

The Russia House tells the story of Barley Blair, a drunken scion of a fading publishing house, who one day is sent a manuscript from a Soviet physicist who wants to tell the truth about his nation's rockets—that they're incredibly inaccurate, never have been accurate, and never will be accurate. The British secret service intercepts the manuscript, prepares Blair to be a reluctant spy, and sends him back to find the physicist.

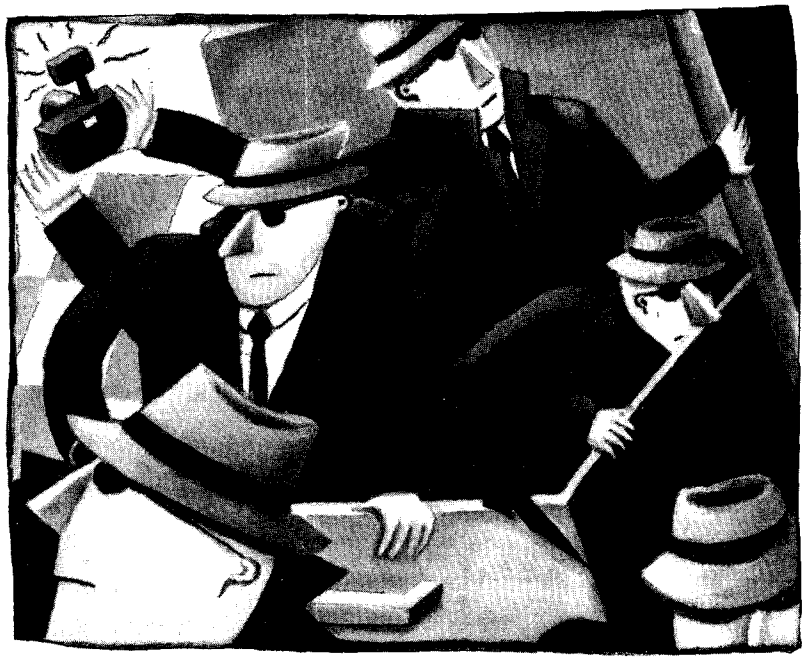
I don't know a lot about arms control, but it's clear that the central revelation in the book is inherently implausible: A 25-megaton missile can still cause enormous damage even if it doesn't come within five miles of its target. But far more worrying is Le Carré's attitude toward the Soviet Union.

The Russia House is yet another in an endless series of romances about travelers from the West who discover that primitive people in the Third World (or, in this case, the Soviet Union) have all the virtues lacking at home. Repression, Le Carré tells us, is like calcium; it builds character, strengthens the spine, and prevents lassitude and anomie. For the Soviet Union, in Barley Blair's eyes, is "the last great frontier in an over-discovered world." We in the West should respect the Russians because of "their love of anarchy and their terror of chaos, and the tension in between."

This is the worst sort of patronization. Not every Russian is a villain, but neither is every Russian a hero simply for surviving in a brutal totalitarian state. Indeed, the Russian characters in Le Carré's novel are the haziest in the book, platitude-spouting ninnies built from the thinnest of cardboard. The Americans Le Carré portrays are also not plausible. For some reason, the nature and follies of the American mind are subjects of enduring interest to the British. When a British writer talks about how he truly *understands* Americans, the American reader should strap on his mental seatbelt and prepare to be buffeted by gusts of intellectual misunderstanding.

Le Carré's Americans are of two classes: thugs and buffoons. When Barley Blair comes to America to be briefed by the CIA, he encounters a nation of brutes: "How deeply they [Americans] yearned to be loved!...Just as to this day they need to be loved for all their staged putsches, destablisations, and wild adventures against The Enemy Out There....That, I suppose, is the tragedy of great nations. So much talent bursting to be used, so much goodness longing to come out. Yet all so miserably spoken for that sometimes we could scarcely believe it was America speaking to us at all."

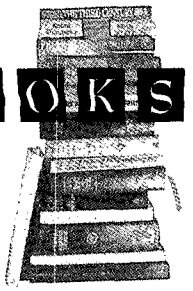
Silly passages such as this show how little Le Carré, despite his technical expertise as a writer, understands the United States—or, for that matter, the Soviet Union.



BEVERLY HONG

A far more accurate picture of Soviet life is provided in *Polar Star*, the new novel by Martin Cruz Smith. Smith is a seasoned thriller writer who, in the late 1970s, had a bright idea. Why not write a thriller about the Soviet Union *with a Soviet hero*? This was a novel notion for an American, but the result, *Gorky Park*, was a major bestseller that produced dozens of imitators.

Smith has now produced a sequel to the original book. Like most sequels, *Polar Star* lacks the zest and vigor of its predecessor, but it is still an entertaining work. Once again the hero is Soviet detective Arkady Renko, who, having been disgraced after the events of *Gorky Park*, finds himself in the most menial of jobs—working the "slime line" in the trawler *Polar Star*, where he spends his days gutting fish for a minimal salary. But after one of his colleagues is murdered, Renko once again becomes a detective.



Gorky Park and *Polar Star* share many themes, including the relationship between Russia and America, the nature of the Soviet underworld, and the hypocrisy of Marxism-Leninism. Smith, wisely, does not appear to have a political ax to grind; he is skeptical of everyone and everything. Unlike *The Russia House*, *Polar Star* provides the reader with a wide variety of Soviet characters: dissidents, *apparatchiks*, even a fervent believer in Russian Orthodoxy who calls a Sears catalogue "the anti-Bible."

Smith is at his best in describing *why* communism doesn't work. In one scene, Soviet sailors visit an Alaskan store and revel in the goods capitalism produces: "No experienced Soviet shopper left a store with his purchase until he'd taken it out of its box, turned it on and made sure it did *something*. Soviet shoppers also searched for the date of completion on the manufacturer's tag and hoped for a day in the middle of the month, rather than at the end, when the factory management was trying to meet its quota of TVs, VCRs or cars with or without all the necessary parts, or at the beginning of the month, when the workers were in a drunken stupor from having met the quota." For passages such as these, one can forgive Smith for a somewhat predictable plot and extremely gory fight scenes.

The only American thriller writer in '80s as innovative as Smith is Tom Clancy. Clancy has advanced the thriller in two ways. First, he was the first novelist to understand that Americans were tired of novels that assumed that everyone in the military or in the intelligence services was either a ninny, a fool, or a fascist. Second, and more lasting, Clancy grafted some of the themes of science fiction onto the spy novel. There have always been spy novels with near-future settings or with gadgets or techniques that do not currently exist. (Indeed, Kingsley Amis once claimed that *all* spy novels were science fiction.) What Clancy has done is to take some of the *spirit* of "hard" science fiction and inject it into the spy novel.

Clancy has been heavily influenced by Robert A. Heinlein, not just in his respect for the military mind but in his reverence for the competent man. Competent characters, in a Clancy novel, are the heroes; even the villains earn some respect if they do their jobs well. The true bad guys, in Clancy's world, are those people incapable of using the power they hold.

Clancy seems to follow the headlines in each of his novels. His previous book, *The Cardinal of the Kremlin*, was his "Star Wars" novel. His new thriller, *Clear and Present Danger*, begins as a War on Drugs novel and concludes as a commentary (suitably disguised) on the Iran-Contra affair.

Despite Clancy's reputation as the hardest of hardliners, *Clear and Present Danger* is *not* the sort of book that would cause a William Bennett devotee to drool with delight. There is considerable discussion of the war on drugs, and although I disagree with his conclusion (the war on drugs is justifiable as a response to an attack on a great power), Clancy's analysis is much more reasonable than the fanatics who froth about drug lords, using the same techniques with which previous generations of propagandists characterized the Kaiser, Hitler, or Tojo.

Halfway through *Clear and Present Danger*, the theme of the book shifts. The villains become, not drug dealers, but "REMFs"—Rear Echelon Mother F******. While Clancy admires soldiers who do their job well, he has no respect for Pentagon desk jockeys who order soldiers to do thankless tasks. Because Clancy admires the military, his critiques carry more weight than do those of other novelists who feel the military holds all the values they despise. As a result, the second half of *Clear and Present Danger* is much more exciting than the first half, although the book itself, at 656 pages, is far too long. (A prudent editor would have advised Clancy to trim the many passages in the first 200 pages that introduce various characters but do not advance the action.)

A more left-wing view of the U.S. role in Latin America is provided by Joel Brinkley in *The Circus Master's Mission*. Brinkley, son of David Brinkley, is the *New York Times*'s Jerusalem correspondent and a Pulitzer Prize winner. In his first novel, Brinkley suffers from a rare fault among novelists—he knows too much about the subject.

The Circus Master's Mission tries to give an insider's view of the Contra war against the Nicaraguan government. Brinkley shows us the Contra camps, takes us inside the American embassy in Managua, shows the reader the White House mess, and even sets a scene at Kramerbooks and Afterwords, a popular bookstore and cafe.

I am grateful to Brinkley for confirming my worst prejudices about self-important Washington power brokers and journalists—namely, that their lives and opinions are trivial and boring. In fact, everyone in Brinkley's book is equally free to be equally dull. The Contras Brinkley portrays are preening fools; the Sandinistas, fanatic dolts; the government officials, greedy sharks; and even Brinkley's hero, crusading reporter Chris Eaton, knows nothing of life outside his trade. The information Brinkley provides also lacks weight. Does anyone care, for example, that the Nicaraguan 50-cordoba note is purple and shows "Commandant Carlos Fonseca, martyred hero of the revolution, bespectacled, somber, and determined"?

The Circus Master's Mission fails because Brinkley lacks the imagination good spy novelists require. Spy novels should not merely replicate current events but should instead use these events as a springboard to launch the authors' economic and political ideas, opinions, and insights. For the best spy novelists, like the great novelists of the 19th century, are *both* superb reporters and novelists. In a time when a growing number of novelists are self-absorbed solipsists who feel that the world outside their skulls is a dull and dreary place, the success and continued growth of the spy novel is a welcome development.

Martin Morse Wooster is the Washington editor of REASON.

Passion over Prudence

BY STEVEN HAYWARD

"The first heavy casualties of the French Revolution were rabbits."

Detail and interpretations of this kind fill nearly every page of Simon Schama's magnificent "chronicle" of the French Revolution. In this case, Schama finds significant the widespread rural disregard of the laws protecting wildlife when, in the hungry spring of 1789, a plague of rabbits threatened to devour what was left of a meager harvest. Huge mobs of farmers and laborers roamed the fields, pummeling every form of life encountered. Soon these same mobs would be waylaying grain shipments, leading to disruptions and unrest in Paris. The rest, as the cliché goes...

Citizens ought to be the final book on the subject of the French Revolution. But you know it won't be. The French Revolution will always be a big deal because it raises in pure form many of the classic political questions: How should representation be determined? What is the relationship between violence and legitimacy? Is the good man the same as the good citizen? To what extent can or should government work to mold the virtue of its citizens? Is totalitarianism just an updated form of ancient tyranny, or is it something new?

Citizens: A Chronicle of the French Revolution, By Simon Schama, New York: Knopf, 948 pages, $29.95

The French Revolution also raises great historical questions. Cause and effect, always problematic for historians, are even more elusive for the French Revolution. The most basic themes remain controversial. Was it, as R. R. Palmer and many other historians have argued, "the great turning point of modern civilization," the crucible of modernity, and, as Jules Michelet had it, the heir of the Christian epoch? Or was it in fact chiefly antimodern at its core? For intellectual history, the place of Enlightenment philosophy has always been hard to fix. One school of thought, spawned by Burke and De Maistre, has the Revolution as a natural product of the Enlightenment, thereby setting the stage to deplore both, while the Marxist-inspired historians explain events not as the result of ideas at all, but of those hoary impersonal forces.

For Americans and democrats everywhere, the comparative question remains lively: Next to the French Revolution, the American Revolution pales, giving rise to a predominantly liberal school of thought that argues that the American Revolution was not revolutionary at all but should be regarded as a mere War of Independence. (The next step in the argument, of course, is that America needs a genuine egalitarian revolution.) And because of the similar phrasing of Jefferson's Declaration of Independence and the French Declaration of the Rights of Man and Citizen, many American conservatives argue that our Declaration is "tainted" by French influence and therefore not to be regarded as a vital part of the American tradition and certainly not to be accorded any theoretical authority.

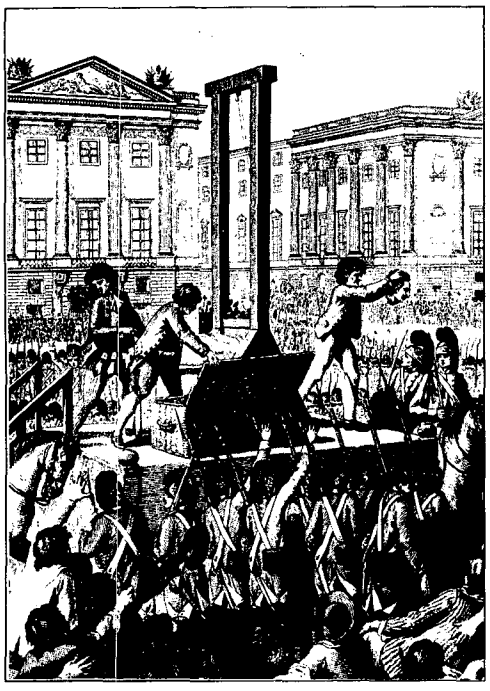
There is finally the enormous popular legacy of the French Revolution. It is the standard by which other upheavals are measured. And this historical controversy over its nature has huge popular overtones, as was made evident by the furor that followed Prime Minister Margaret Thatcher's denigration of the Revolution's significance. The French Revolution stands among the handful of historical moments fraught with contemporary importance.

So the historical debate has converged with the political debate. Indeed, it can be said that modern conservatism was generated out of the French Revolution, with Burke's *Reflections on the Revolution in France* being the chief scripture right down to the present day. The Burkean critique is in one respect not necessarily helpful: Its ideological analysis provides ironic sanction to the liberal view that the French Revolution was a modernizing force and to the Marxist view that the Revolution was an important milestone on the Inevitable Course of History, in which bourgeois capitalism displaced relic feudalism. Many historians argue that it was neither of these, and they have to overcome Burke as well as the liberals and the Marxists.

Citizens addresses itself to all of these controversies, in a narrative form that provides interpretations as events unfold before the reader. Schama deliberately chooses the narrative form, because in recent historical inquiries "the causes of the French Revolution were depersonalized, cut loose from the speech and conduct of Great Men and instead located deep within the structure of the society that preceded it....Scientific—or at least sociological—history had arrived and with it, the demotion of chronicle to anecdotal unimportance." It is Schama's purpose to revive this style and yet still offer the reader broad conclusive themes.

Citizens comes down squarely on the side of the recent revisionists, such as François Furet, who see the French Revolution generally as a catastrophe proceeding from rather unremarkable political causes. Although a great many fac-

tors combined to give the Revolution its character, the principal cause of the crisis of 1789 was the fiscal insolvency of the French government. Early on, Schama disputes the histories that stress institutional and social forces at the expense of politics. In fact, Schama writes, Tocqueville was right when he argued that the obsession with reform prior to 1789 contributed mightily to the growing disarray.



Many are the historians who hold that the French Revolution was the direct outcome of the Enlightenment, which was carried on nowhere more vigorously than in the *salons* of Paris. Schama yields some ground to this view. "Rousseau's works dealing with personal virtue and the morality of social relations sharpened distaste for the status quo and defined a new allegiance," Schama writes. But the obscurity of Rousseau's political philosophy made its precise application—as well as precise evaluation by historians—difficult. Schama identifies Rousseau's rhetorical style as his most important bequest: "What he invented was not a road map to revolution, but the idiom in which its discontents would be voiced and its goals articulated." Later on Schama describes the rhetoric of the Parisian Jacobin clubs as "Rousseau with a hoarse voice."

The main reason for Schama's restraint about the place of the Enlightenment in the catalogue of causes is his equal appreciation for the other intellectual currents and images. Even as radicals invoked the General Will and other Rousseauian ideas, there was equally prominent in the revolutionary consciousness a strong element of classical Roman republicanism. Just as the Americans adopted the Latin slogan "*Novus Ordo Seclorum*"—A New Order for the Ages—Mirabeau made popular the slogan "*Novus Rerum Nascitur Ordo*"—A New Order of Things Is Born. "Their France would be a Rome reborn," Schama observes. In both speech and popular art, the Revolution as Horatian spectacle is common.

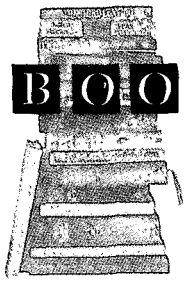
And finally, notes Schama in his epilogue, "it was perhaps Romanticism with its addiction to the Absolute and the Ideal; its fondness for the vertiginous and macabre; its concept of political energy as, above all, electrical; its obsession with the heart; its preference for passion over reason, for virtue over peace, that supplied a crucial ingredient in the mentality of the revolutionary elite: its association of liberty with wildness."

Citizens illuminates many of the basic political questions the Revolution faced. Schama's narrative is especially useful for political scientists interested in comparing the French and American solutions to basic problems such as representation, voting privileges, separation of powers, good citizenship and patriotism, and so forth. Abandoning the historical precedent for the composition of the Estates-General was, according to Schama, the first great turning point of the Revolution. The debate over how to compose the general assembly raised the theoretical question that often dogged the American Founding: What is representation, and how is it provided for? (That there is no satisfactory practical answer is evident from James Madison's remark in *The Federalist* that one "should not dwell overlong" on this question.) The large electorate in the regional assemblies generated, Schama writes, "the most numerous experiment in political representation attempted anywhere in the world." But later in the Revolution, landholding and taxpaying qualifications disenfranchised large sections of the population, resulting in "a *narrower* electorate at the levels where it really counted."

The Revolution also failed to solve the problem of dividing legislative and executive power. It is precisely this issue where Rousseau's notion of the General Will, with its implication of unitary power, did the most disservice to French political thinking. By invoking Rousseau, the revolutionaries turned away from their most valuable intellectual patrimony: Montesquieu and the doctrine of the separation of powers. (It is worth noting that Montesquieu—not Locke—was the most frequently cited European thinker in American political writing of the Founding era.)

And then there is the question first raised in classical Greece: the relationship between citizenship, morality, and patriotism. The one indisputable transformation of the Revolution, according to Schama, was "the creation of the juridical entity of the citizen." But the free citizen and his natural rights were quickly subsumed by what Schama rightly calls "The Dictatorship of Virtue," an all-consuming patriotism that saw all dissent as not just unpatriotic, but unvirtuous. Here again Rousseau's doctrine that government was a form of educational trust, responsible for the moral regeneration of the people, was given active form.

One might posit a general lesson: Where there is undue veneration of the *patrie*, paternalism will not be far behind. The economic dimension of the French Revolution is perhaps the most ironic. Schama points out that, although there was widespread rural poverty, France in the 1780s was prospering and increasingly capitalistic. The economic damage inflicted by the Revolution took decades to repair. The rural poor never benefited from the confiscation of church



property, and the inflation and price controls that followed the introduction of paper money were worse than the state bankruptcy that triggered the whole mess.

A segment of the radicals wanted it this way. As Schama tells it, "They wanted paternalism rather than economic liberalism, the regulation of prices rather than free markets." Most surprisingly, Robespierre made it a staple of Jacobinism that the rights of property were not absolute, and Schama concludes, "their [the Jacobins'] war was a war against commercial capitalism."

The truth about the economic interests in the Revolution belies the class-based analysis. Schama frequently breaks off from his steady and careful narrative to deliver much-deserved whacks at historians who have misrepresented this and other aspects of the Revolution. In most instances these demurrers are done politely and without mentioning specific historians by name, but Schama erupts with vituperation when considering the historiography of one issue: The Terror. Schama rejects outright the common view that the French Revolution had two distinct phases, an early "liberal" period lasting until 1791, and then The Terror. To the contrary, "The Terror was merely 1789 with a higher body count. From the first year it was apparent that violence was not just an unfortunate side effect from which enlightened Patriots could selectively avert their eyes; it was the Revolution's source of collective energy." Schama returns to this theme often, and at one point singles out historian Pierre Caron, censuring him for "intellectual cowardice and moral self-delusion." Caron's downplaying of the violence against the rebellious province of Vendée, Schama writes, amounts to "the scholarly normalization of evil."

Schama has received some criticism for breaking off his narrative with the execution of Robespierre in 1794, but this criticism fails to appreciate how Schama's purposes are completed by this point. "What occurred between 1789 and 1793," Schama writes at the last, "was an unprecedented explosion of politics—in speech, print, image and even music—that broke all the barriers that had traditionally circumscribed it." And although Schama is moved by the grandeur of the spectacle, he clearly sees that the logic of utopian revolution is to devour the very people it seeks to free. The difficulty of returning the revolutionary genie to the bottle of state power (Schama's phrase) reminds once again that prudence is the highest political principle of the statesman.

Here the comparison with America tells. In 1791, Thomas Jefferson (who departed from his ambassadorship in Paris in September 1789) wrote to a friend: "I still hope the French Revolution will issue happily. I feel that the permanence of our own leans in some degree on that, and that a failure there would be a powerful argument to prove that there must be a failure here." Jefferson should have known better. What Jefferson the idealist failed to discern was the absence of any prudence and moderation in France that would have led to establishing the principle of limited government. What Americans understood was that only *limited* government can provide for the equal rights of free men; what the French should have learned (it's not clear whether they have) is that unlimited ideals combined with unlimited government must quickly obliterate those ideals. Compare the rhetoric in the French assemblies with the rhetoric in American assemblies. Even though our Declaration of Independence sounds like their Declaration of the Rights of Man and Citizen, the similarity ends there.

Contributing Editor Steven Hayward is director of the Claremont Institute's Golden State Project.

A Pilgrim's Progress

BY LOREN LOMASKY

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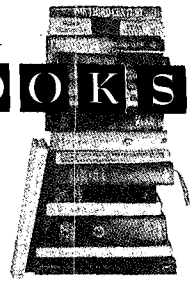
Jan Narveson's latest book, *The Libertarian Idea*, is the testimony of a philosophical emigré. Narveson is best known as an accomplished exponent of utilitarianism. Here he disowns that ethic and, in the process, develops a libertarian politics that is both theoretically rich and bristling with provocative real-world applications. A glance at where he came from and why he departed helps illumine this pilgrim's progress.

Ethical theorists more or less neatly arrange themselves into two camps. The first, whom I shall dub the Impersonalists, believe that sound moral appraisal issues from a detached perspective, a sort of god's-eye-view. (Contemporary moral philosophers, not a notably devout lot, tend to secularize this into talk about "ideal observers" or "impartial judges.")

This approach, like so much else in philosophy, can be traced back to Plato, who hypothesized a Form of the Good that serves as a universal standard of value owing nothing to the aspirations of individual human beings. Natural law ethics is essentially a variation on this Platonic theme as,



with a twist, is John Rawls's strategy of arguing from an "original position" in which agents are methodologically dissociated from all personalizing knowledge and desires. Common to these otherwise opposed theories is the conviction that special attention to advancing the ends that happen to be one's own is antithetical to genuine morality. Morality has its reasons, but they are categorically distinct from those that direct our self-interested pursuits.

The other camp, the Personalists, finds this simply incomprehensible. Precisely because we are beings who passionately attach ourselves to our projects, an ethic sculpted by detached observers would not be fit for us. What rationale could there be to hold at arm's length that which we most care about and which provides direction, coherence, and meaning to our active lives? Plainly none. Morality, if it is not to be a mere chimera or an assortment of insupportable dogmas, must take people as they are, as beings who have reason to be partial to their own personal values.

The Libertarian Idea, by Jan Narveson, Philadelphia: Temple University Press, 367 pages, $34.95

According to these theorists, what we have reason to do is simply to act effectively to get more of whatever it is that we want. Thus morality is comprehensible as an enterprise for mutual benefit but not as an exercise in self-abnegation. The great classical exponent of this view is Thomas Hobbes, and David Gauthier's *Morals by Agreement* is an impressive recent rendering.

Narveson's 1967 book, *Morality and Utility*, was a subtle and inventive brief for utilitarianism, the theory declaring that actions are right if and only if they conduce to the "greatest happiness of the greatest number." If Narveson now finds utilitarianism lacking, it is not because of any lack of skill in the earlier presentation. Rather, he disavows it because of its inherent impersonalism. Utilitarianism takes its bearings entirely from aggregate measures. Only incidentally, if at all, is it able to admit the relevance of *whose* happiness is advanced by a course of action or the extent to which agents may be called upon to sacrifice all that they hold dear in order to maximize utility. Nor does utilitarianism have much use for rights. Because rights block off various avenues through which would-be reformers might pursue their pet designs for social melioration, utilitarians either follow Jeremy Bentham in declaring them "nonsense on stilts" or allow them a status purely derivative from impersonal considerations.

Narveson's initial dissatisfaction with utilitarian methodology was prompted by Robert Nozick's *Anarchy, State, and Utopia*. With unequaled verve and philosophical power, Nozick develops the appealing conception of a political order sharply limited by the right of individuals to be free from coercion. Nowhere, however, does he explain why individuals should be thought to enjoy just the particular package of rights he ascribes to them, or even why it is reasonable to admit the existence of any rights that constrain overall utility maximization. As one prominent critic put it, Nozick's is a "libertarianism without foundations."

Narveson believes that he has discovered the heretofore missing foundations of libertarianism in David Gauthier's contractarian methodology. Unlike utilitarianism, contractarianism does not look to a universal, disinterested benevolence as the source of rules of conduct. Rather it asks: What moral constraints is it reasonable for each person to accept so as better to advance *that person's own ends*?

The great virtue of contractarianism is that it demystifies morality by erecting it on explicitly personalist considerations. As Narveson puts it, "since morality comes fundamentally from the 'inside,' each person being in a position to decide what to do about it—there are no high priests of morals, no Central Committee, no legislature—no moral theory has much chance of getting a grip if it can't account for the *motivation* to participate in this institution." Contractarianism does not stipulate that rational people value aggregate well-being. They may, but they need not. However, insofar as individuals profess any goals that can be advanced by social cooperation, they have reason to accede to policies that enhance the prospects of their own personal success—and which, simultaneously, enhance the prospects of others. So understood, the principles of morality are merely an extension of the basic precept of market exchange: seek transactions that generate mutual benefit.

What form will generally acceptable principles of social cooperation take? Narveson, unlike Gauthier, argues that they will be restricted almost entirely to reciprocal noninterference, that "our sole basic duty is to refrain from utilizing the fundamental resources of others without their consent." The final third section of *The Libertarian Idea* is given over to a case-by-case justification of that libertarian claim.

It is Narveson's commitment to ethical personalism that dictates this approach. Unlike some alternative versions of libertarian theory, his precludes plucking from the heavens some convenient natural law canon of universal nonaggression. The heavens aren't so obliging. Rather, if we have reason over some range of activity to forgo encroachments on unwilling others, that will be because a policy of interference serves individuals' interests less well than does freedom.

In remarkably undoctrinaire and insightful fashion, Narveson patiently marshals support for the two-pronged thesis: "First, that practically everything done by modern governments violates someone or others' rights; and second, that likewise practically everything they do is inefficient."

The Libertarian Idea is one of the best expositions of libertarian theory we have and stands as a significant contribution to the underlying theory of morality. It is not, however, without flaws. Much of the first section in which Narveson introduces the basic concepts of ethical appraisal

appears rushed and carelessly drafted. Three examples: First, Narveson's definition of "having a right" is, as presented, logically ill-formed. The discerning reader can make out what he really intends, but that should be the author's job. Second, Narveson writes, "coercion is a matter of bringing it about that the coerced person's alternatives are considerably worse than in the status quo ante." That won't do. On this account, if Fred opens a McDonald's franchise across the street from Leroy's Pretty Good Hamburger Emporium, or if Betty decides to stop dating Ernie because he bores her to tears, then Leroy and Ernie have been coerced. Third, Narveson declares, without argument, "There is no such action as allowing, permitting, or letting someone do something." This is clearly mistaken. I am not performing an action when I "allow" you to read your copy of *The Libertarian Idea*, but I do when I permit you to read my copy.

More ominous is Narveson's assertion, "If x is morally permissible, then those who do x are entitled to freedom from expressions of moral attitude to the contrary." I believe this to be a serious error because it implicitly undercuts a basic impulse of libertarianism. If people enjoy *extensive* rights of self-determination, then they are free to act quite badly provided only that they do not encroach on the similar rights of others to self-determination. One acting within his rights may nonetheless be imprudent, ungenerous, intemperate, cowardly, inconsiderate, and so on. Such action is permissible but surely not immune from moral rebuke.

If Narveson's claim were acceptable then, because morally mediocre actions *are* eminently criticizable, it would follow that they may properly be proscribed. Indeed, many opponents of liberalism on both the right and the left draw just this conclusion and duly assign to the state the task of policing morals. It is toxic to the prospects of the free society to confuse the Reign of Virtue with an order in which people are basically left alone.

Narveson's passage from utilitarianism to ethical personalism renders *The Libertarian Idea* notable. I believe, though, that he errs in identifying personalism with contractarianism. Although the strategy of viewing moral principles as the product of a contract has, in recent years, cycled back into philosophical fashion, it remains problematic. What sort of contract could succeed in justifying a set of moral principles? Not some alleged historical pact. As Narveson himself notes, "contractarianism can be made to seem arbitrary and silly: consider, for instance, the suggestion that long, long ago our remote ancestors made this deal, see, and from that day to this everyone has had to go along with it! Plainly, such a theory is not going to give us the rational motivation we need."

Narveson and other contractarians perforce turn to *hypothetical* contract: the agreements into which people *would enter* in some posited initial bargaining position. The results of such an exercise remain entirely indeterminate, however, until those initial conditions are specified, and there does not seem to be any nonarbitrary and morally neutral way to arrive at some one unique basis for contract. What people will agree

to is a function, among other things, of what they have, what they want, what they believe, and how they view the process of reaching agreement itself. In particular, one's convictions about what is *right* or *fair* or *just* may have significant implications concerning what one will consent to and whether one will subsequently regard oneself as obliged to comply. Moreover, from the fact that Alma would have agreed to x under such and such stipulated conditions, nothing obviously follows concerning Alma's actual obligations. "But you *would have agreed* to sell me the stock for $20 a share yesterday before the takeover bid was launched!" is a singularly feeble plea.

Contract theorists have employed different strategies to address these problems. I am not persuaded that any has come close to obviating the difficulties. Narveson does not even try. Rather than counting this a defect, I attribute his abstinence to sound philosophical instincts. Contractarianism's value is, at most, as a useful heuristic device. It serves to inoculate the theorist from temptations to assume a detached, impersonalist perspective. "What reasons *from their own perspective* do agents have to accede to moral constraints?" then becomes the pivotal ethical question. Once that is achieved, the other accoutrements of contractarianism serve merely to distract.

Notwithstanding the preceding criticisms, I wish to emphasize that this is a book deserving a wide readership. Narveson displays the virtues one would expect from a thoroughly competent academic philosopher—clarity, attention to scholarly details, a nose for argument—but manages to combine them with an exuberant punchiness that entertains as it instructs. *The Libertarian Idea* is the eminently readable book of a man who knows what liberty is, knows what it isn't, and cares deeply about the difference. ■

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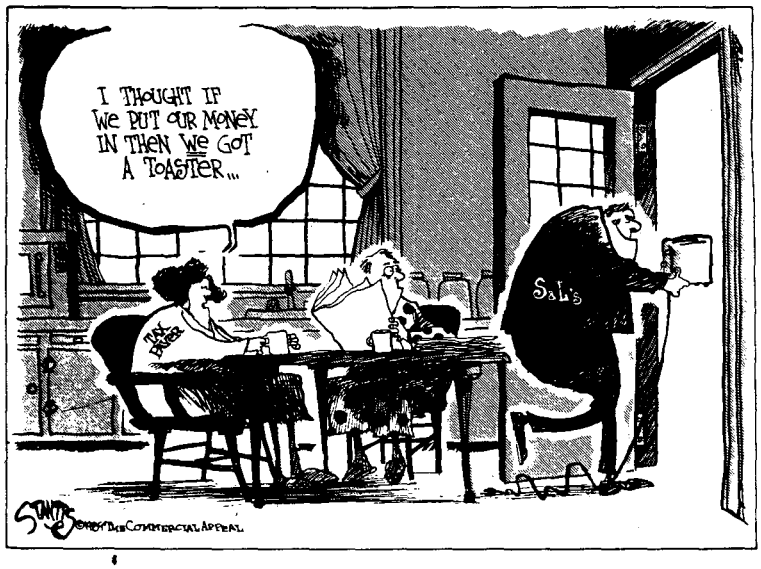
BEVERLY HONG

INSURING A CRISIS

BY JAMES RING ADAMS

Will deregulation survive the savings and loan disaster? When the thrifts were partly freed from government control, starting in 1980, some went on an orgy of bad investments, self-dealing, and outright looting. The total waste could easily reach $300 billion, a charge of $1,200 on every man, woman, and child in the United States. Even worse, sensible steps to avert this disaster ran into resistance from Reagan White House officials who invoked the cause of deregulation.



Ed Gray, the former chief regulator of the savings and loan industry, feuded bitterly with the Office of Management and Budget and his archenemy, White House Chief of Staff Donald Regan, in attempts to increase his corps of thrift examiners. "You don't understand the purpose of the administration," he says he was told. "We want to get government off the back of business. We ought to be reducing the number of examiners, not increasing them." Gray, a press spokesman and writer for Ronald Reagan during seven years of his California governorship and the press secretary for the 1980 presidential campaign, was attacked as a "reregulator."

The foes of Reaganomics are busily exploiting the thrift debacle to discredit the entire policy of deregulation. But the real cause of the disaster was the failure to deregulate consistently. A series of statutes removed controls on thrift owners while increasing their government subsidy, federal deposit insurance. The 1980 act that started the erosion of government controls, to a large extent quite properly, also more than doubled the maximum size of accounts covered by the deposit insurance funds, from $40,000 to $100,000. With this backing, depositors had no need to worry about the safety of their S&Ls.

Deposits chased the highest interest rates, helped by the burgeoning deposit brokerage industry. The riskiest thrifts offered the highest rates and raked in brokered deposits from around the country. (It may have helped that the largest of the deposit brokers was Merrill Lynch, Donald Regan's former employer.) The government picked up the risk, all $300 billion worth.

Deposit insurance turned incentives upside down, so that the worst thrifts in the country were also the fastest growing. Market discipline completely vanished, as the earliest critics of the program had predicted they would. It was for this reason that Franklin Delano Roosevelt had threatened to veto the establishment of the Federal Deposit Insurance Corporation back in 1934.

The S&L rescue plan does nothing to change the perverse incentives of deposit insurance, and U.S. Treasury officials pooh-pooh the potential of market discipline for keeping bankers honest, so this crisis contains the seeds of the next one. The substantial minority of troubled banks, estimated at 1,000 out of 13,000 covered by federal guarantees, may well do to the Federal Deposit Insurance Corporation what the defunct thrifts did to the Federal Savings and Loan Insurance Corporation—drive it bankrupt.

The other great lesson of the thrift crisis, the distinction between regulation and supervision, has also been slow to penetrate Washington. When Ed Gray asked for more examiners, he was doing more to protect free-market forces than were the false deregulators who opposed him. The principle here involves the flow of information. Unlike any other industry in the country, banks and thrifts have the power—in fact, the legal obligation—to conceal their true condition from the public. Their business is making loans, but neither they nor their federal supervisors are allowed to divulge details about the quality of those loans. In fact, examiners can be penalized heavily for breaching confidentiality.

This fetish of bank secrecy is supposed to maintain public confidence and protect against bank runs, but the impact could be quite the opposite. By making it difficult for depositors to distinguish between sound institutions and shaky ones, in a time of stress this secrecy could foster a general financial panic.

By denying the public access to this information, the government further insulates banks and thrifts from market discipline. In return, the regulators provide the far inferior alternative of regular examinations. Four separate federal bureaucracies and their equivalents in each state send out examiners to pore over ledgers and loan portfolios. By most accounts, the examiners have done a better job than anyone had a right to expect, given their limited resources, but their findings never

reach the public. Reports go to the senior regulators, who are supposed to use their supervisory powers to control bad management and kick out the crooks. The most dramatic failures have been at the senior level.

At the beginning of deregulation, there were some, including senior regulators such as Ed Gray, who warned that the relaxation of government control should be accompanied by an increase in supervision and a limit on the subsidy of federal deposit insurance. Instead, the White House and Congress pursued the disastrous course of increasing the subsidy and encouraging corrupt political interference with the supervisors.

None of the thrift losses could have

The real cause of the savings-and-loan disaster was the failure to deregulate consistently.

occurred under true deregulation. The perverse incentives of deposit insurance could have been reduced even without eliminating the program. All that one had to do was restrict coverage to $100,000 an individual, rather than the current limit of $100,000 per individual per bank. The stricter limit would drive the deposit brokers out of the business and force large depositors to exercise extreme care in placing their money.

The information flow could, and should, be greatly expanded by publishing examination summaries. In the absence of bloated deposit insurance, the marketplace would do the rest. The industry lobby would fight these measures tooth and nail, because they would quickly drive the frauds and crooks out of business. But that is what market discipline is all about.

James Ring Adams is a former member of The Wall Street Journal *editorial page and author of* The Big Fix: Inside the S&L Scandal, *published by John Wiley & Sons.*

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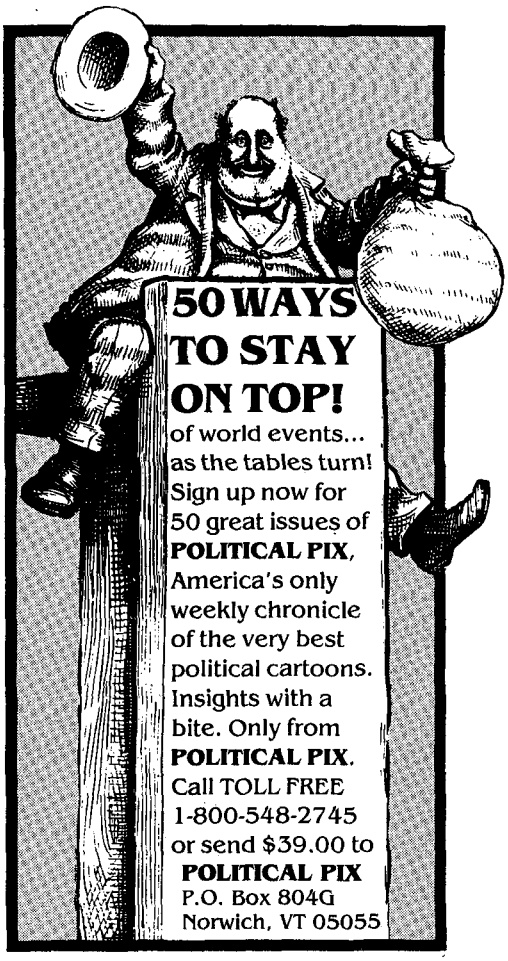

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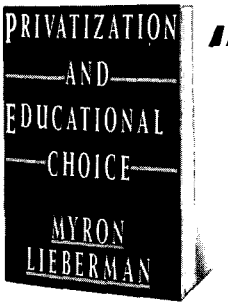

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CATO INSTITUTE

SLOW MARCH TOWARD FREEDOM

BY MARTIN MORSE WOOSTER

The continuing story of the crumbling of communism is the most interesting—and worst reported—political drama of our time. For communism's fall has prompted both the right and the left to question the assumptions on which they have based their views of how to conduct American foreign policy.

Rightists have to ask themselves how to be anticommunists in a world where hardly anyone (outside the Sorbonne, Harvard, and the London School of Economics) is in favor of communism anymore. Leftists have to keep asking themselves what they stand for in a world where long-time revolutionary heroes (Fidel, Kim-Il Sung, Col. Mengistu) are now cast as the blackest of reactionaries.

Many conservatives have consoled themselves by painting Big Pictures about what the events in Moscow, Budapest, and Warsaw really mean. The grandest of these big-picture analyses, composed with the intellectual equivalent of six-track Dolby sound and 70-millimeter film, was provided by State Department scholar Francis Fukuyama in the summer issue of *The National Interest*.

According to Fukuyama, what is happening is nothing less than "The End of History." Basing his analysis on an obscure French disciple of tendentious German philosopher G. W. F. Hegel, Fukuyama argues that the major challenges to Western liberal democracy—fascism and communism—are now spent forces. Therefore, except for reactionary Third World states that insist on being "involved in history" (by starting wars, that sort of thing), every civilized state will ultimately become a capitalist democracy. Thus life, without the excitement provided by ideological struggle, will be boring, with "neither art nor philosophy, just the perpetual caretaking of the museum of human history."

Meanwhile, Free Congress Foundation pundit William Lind argues in the summer issue of *Policy Review* that the future will be full of history. Indeed, Lind says, if the Soviet Union collapsed, all sorts of scary long-dead groups would reemerge, a Hit Parade from Hell of the West's greatest enemies. Not only might "Moslem armies be besieging the gates of Vienna" (just like in the 17th century!), but crazed "pre-Columbian nationalists" in Peru would be busy restoring the Incan Empire. Most frightening of all, "it is perhaps no accident that the left-wing candidate for president in Mexico last year boasts the name of an Aztec emperor." I look forward to future articles in which Lind warns of forthcoming menaces from the Visigoths, Mongols, and Spartans.

If the right has been composing romantic variations on a theme of Soviet defeat, the left has been trying to deny that anything unusual is happening east of the Vistula. A typical leftist response is provided by *Nation* European correspondent Daniel Singer in the August 21-28 issue of that magazine. According to Singer, the Poles and Hungarians are not freeing themselves from socialism, because these nations aren't socialist. Yes, Singer says, socialism in Russia ended when Alexander Kerensky was overthrown in 1917; what Lenin, Stalin, Khrushchev, and Brezhnev implemented was not true socialism but a thuggish imitation, so the citizens of Poland and Hungary, after suitable lessons about the wickedness of the czarist knout, will quit their quest for freedom and discover socialist bliss.

"Socialism exists nowhere," Singer says. "It has not even been tried in the advanced countries for which it was designed." This is certainly news to the ministries of planning in Eastern and Western Europe.

The Progressive has outdone other leftist publications by discovering Robin Blackburn, editor of the *New Left Review*. Blackburn is what the wicked anticommunists of the 1950s would have called "a dupe." He has been to Moscow and, he told the thrilled readers of the July *Progressive*, he has seen a future that works. Why, the Sovs build airplanes that don't always crash! The subways are all clean—and the trains run on time! Best of all, the members of the *nomenklatura*, while helping themselves to all the goodies the Soviet system can provide, do so in a discreet and tasteful manner.

"The chauffeur-driven car," Blackburn informs us, "is both a common and wasteful perquisite, but it is not accompanied by the display of conspicuous luxury that can be seen any day in Manhattan, or in London's West End, or in the choicer suburbs of the West."

This is splendid stuff. I never expected to read someone today as magnificently naive about the Soviet Union as Lincoln Steffens or Beatrice Webb. I congratulate *The Progressive* on preserving this time-honored leftist convention.

TOM DILLON

The magazines of the left and the right are usually not the ones from which to learn what is happening in the Soviet Union and Eastern Europe. Indeed, most magazines and newspapers fail to answer many of the questions in the mind of the serious reader.

This is due to ingrained habits of the American press. Most American foreign correspondents divide political life overseas into three categories—Us (friends of America), Them (lackeys of Moscow, Peking, or Havana), and a Third Force (not quite Us, but nearly so). Moreover, Western journalists (not just American ones) tend to exaggerate the strength of the political left and underrate the political right—not out of bias, but because leftists tend to be friendly to the press (and also to speak English) while rightists tend to be hostile.

So most reporters have treated the recent Polish elections as a Solidarity vs. Communism showdown, as if it were an Eastern European version of a Democrat vs. Republican contest. In fact, there were dozens of parties competing, many of which owed no particular allegiance to either Washington or Moscow. Similarly, most reporters covering Soviet politics concentrate on interviews with such left-wing dissidents as Boris Yeltsin, while ignoring such large rightist organizations as Pamyat ("Memory"), a shadowy combination of the National Trust for Historic Preservation and the Nazi Party that is the largest private organization in the Soviet Union.

The questions most reporters should be asking about the Soviet Union and Eastern Europe are simple ones. What do socialists and nonsocialists in these nations believe these days? How much influence do various parties have? What shape is the economy in, and how capitalistic are these countries becoming? Here's a consumer's guide to which journals are best able to answer these questions.

The American publication that best covers the Soviet Union and Eastern Europe is *The New York Review of Books*. I always worry about praising the *Review*; I fear this will cast a spell that will force me to wear sensitive sweaters and burble bon mots about French thinkers I haven't read. But *The New York Review of Books* has better analysis of the Soviet Union and its satellites than any of its competitors, largely because the Sovietologists the *Review* employs use the vast space given to them to provide information instead of pontification.

In the August 17 edition, for example, George Washington University political scientist Peter Reddaway offers the best piece of Sovietology I've read this year, an account of Gorbachev's struggles with rightists and leftists in the Politburo that displays a shrewd awareness of the strengths and weaknesses of Gorbachev's foes. In the same issue, the *Review* prints a translation of an Andrei Sakharov speech in full. This is a practice other journals should emulate; it would be a useful project for someone to translate and publish five or six articles from Soviet journals, representing all points of the Russian political spectrum, with an introductory essay by a Soviet scholar explaining how political debate is conducted in the Soviet press. (It would make an ideal "Forum" in *Harper's Magazine*.)

The best British coverage of the Soviet Union and its satellites is found in *The Spectator*, largely because of that magazine's foreign editor, Timothy Garton Ash. Ash is a rarity, a good reporter who is also a superb analyst. Back when other reporters were wondering where the *n* in Lech Walesa's name was, Ash was making contacts in Solidarity and the Hungarian opposition. This has led him to see trends most reporters miss. For example, Ash was the first writer to note that the Catholic Church in Poland was not backing Solidarity but was instead supporting its own candidates.

Ash's work comes in two versions: short articles in *The Spectator* and expanded accounts for *The New York Review of Books*. I prefer the *Spectator* pieces, such as Ash's account in the April 29 issue of his visit to a Hungarian shipyard, where he saw "privatization," Eastern European style: The communist bosses who ran the place simply declared themselves "capitalist owners," who then announced that the yard would be closed! Ash also occasionally hires his contacts in the East to write articles; his most important discovery is G. M. Tamas, a conservative Hungarian whose articles provide important guides to the immense diversity of politics in that nation.

The best guide to Soviet intellectual life this year is an interview with University of Western Ontario historian Dimitri Pospielovsky in the July/August *Idler*. The editors of *The Idler* ask Pospielovsky the right questions; the interview not only decribes the uses various factions make of the Soviet press but also gives an accurate account of the debate within the Soviet nationalist right, a topic other journals have ignored.

Lastly, I commend John Judis's article in the June 21 *In These Times*, where Judis notes the superficiality of seeing the revolution in Eastern Europe as a triumph of capitalism. What the Poles and Hungarians want, Judis believes, is not to be Hong Kong but to be like Sweden or Austria. "The question in Eastern Europe is not between laissez-faire and collectivist economics, but between different combinations of public and private enterprise."

Unfortunately, Judis is right. What we are witnessing in Poland, Hungary, and the Soviet Union is not a capitalist victory, but a convergence; socialist states are becoming more capitalist, capitalist countries more socialist. The idea of capitalism has not won; what consumers in Eastern Europe want is not free and unfettered markets but easy access to the goods capitalism creates.

For the foes of big government, history will never be over. While I cheer the slow march toward freedom in Poland, Hungary, and the Soviet Union, there are still plenty of statist dragons to be slain. The collapse of Marxism-Leninism simply means that these dragons will be pink, not red.

Martin Morse Wooster is the Washington editor of REASON.

WHO IS RUIZ MATEOS?

BY JULIO MARQUEZ

When Spanish Prime Minister Felipe Gonzalez nationalized the country's largest company, Rumasa, he must have thought he had finally eliminated one of his worst political enemies, industrialist José Maria Ruiz Mateos. Instead, he created something of a nightmare for himself.

Ruiz Mateos, founder and owner of Rumasa, has long been a critic of Gonzalez's Socialist Labor Party. In turn, Gonzalez has accused Ruiz Mateos of "financial irregularities" in running Rumasa. Upon taking office in 1983, Gonzalez seized the $7.8-billion conglomerate and hastily broke it up into its many component parts: hotels, banks, wineries, mines, real estate holdings, manufacturing operations, and department stores.

Fugitive industrialist José Maria Ruiz Mateos ran a bizarre but successful campaign for the European Parliament.

Since none of the charges against Ruiz Mateos had been proven in court, Gonzalez's actions caused quite a stir. Several administration officials, questioning the constitutionality of the decree, resigned from their posts. And Gonzalez drew the criticism of many Spanish businessmen and journalists. A lengthy court battle over the charges against Ruiz Mateos and the disposition of Rumasa has cost Spanish taxpayers nearly $20 million thus far.

Since the nationalization, Ruiz Mateos has been a constant source of headaches to the prime minister. The legal fight so far has mostly favored the industrialist, and parts of Rumasa (which, incidentally, stands for Ruiz Mateos S.A., or Ruiz Mateos Inc.) have been reprivatized by the courts, although none have been returned to Ruiz Mateos directly. The government, possibly fearing defeat, has postponed Ruiz Mateos's trial for over six years.

A foe of the socialists even before his company was seized, Ruiz Mateos intensified the frequency of his speeches against the economic policies of Gonzalez immediately following the nationalization and began to draw large crowds wherever he appeared. After two years, with no trial in sight, Ruiz Mateos, free on bail but forbidden to leave the country, decided to augment his words with actions.

To protest the endless postponements of the trial, Ruiz Mateos illegally left Spain in the middle of 1985. He sent snapshots of himself, usually at famous European tourist sites, to major newspapers, garnering front-page coverage and irritating the administration. In November 1985, Spanish authorities finally tracked him down in West Germany and extradited him back to Madrid, where he was jailed.

Despite his incarceration, Ruiz Mateos continued to strike back at his enemies. Several times in 1987 a small plane trailing a banner with Rumasa's logo circled over the prime minister's home. "I'm very glad," said Ruiz Mateos after "learning" about the first incident. "After what he's done to Spain, Mr. Minister should not be able to sleep in peace."

Imprisonment did not suit Ruiz Mateos, and in October 1988, he escaped. After making an appearance in court, he somehow slipped away from the guards who were supposed to take him back to his cell. A few days later, newspapers were anonymously informed that he would turn himself in to the judge who was in charge of his case. But on the day he was supposed to show up, Ruiz Mateos never appeared. Instead, a group of actors delivered a cactus to the judge. A card attached to the cactus read "From Ruiz Mateos, who is even harder to hold on to."

Then in February 1989, a group of supporters entered Ruiz Mateos as a candidate for the European Parliament. Although he was a fugitive from justice, he could legally run for office because he had yet to be found guilty of anything. And if elected, he would receive congressional immunity, and all charges would have to be dropped. (In Spain, legislators have immunity from virtually all prosecution.)

Would the government be able to locate and prosecute Ruiz Mateos before the election? Would Ruiz Mateos be able to run a successful campaign under the circumstances? The cat-and-mouse game intensified.

The race officially began on March 5. That same day, unable to kick off his campaign with a speech, Ruiz Mateos nevertheless stole all media attention by publicly assaulting a former government official, Miguel Boyer. Boyer was minister of economics and finance at the time of the nationalization, and Ruiz Mateos never made any secret of his hatred for him.

As Boyer was leaving an unrelated trial amid extensive media coverage, Ruiz Mateos appeared out of nowhere, stood before him, and, shouting that Boyer had robbed him, challenged the ex-minister to a fist fight. Television cameras recorded Ruiz Mateos throwing three

WALTER CASTRO/CAMERA PRESS-GLOBEPHOTOS

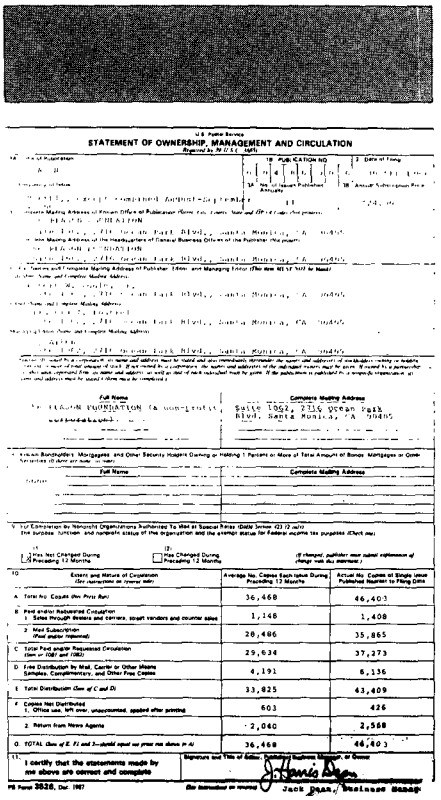
punches, hitting Boyer hard in the face and then quickly disappearing in the crowd. A judge ordered Ruiz Mateos to stand trial for assault and battery, and Gonzalez announced he would invoke an old law against hitting high-ranking officials which carries a 30-year jail sentence. But the industrialist remained in hiding and predictably failed to show up at a scheduled court hearing.

Ruiz Mateos's campaign was a study in free publicity. With essentially no staff, a platform that read only "to defend the interests of Spain and Spain's businessmen in the European Community," and unable to appear in public, he nevertheless managed to continue making headlines. With the police intent on tracking him down, his photograph was constantly published in all the newspapers.

Fantastic versions of his whereabouts inundated the tabloids and "Ruiz Mateos Was Here" became a popular slogan among graffiti artists. Two stories were actually confirmed: He made a short speech on his own behalf at a political rally disguised as a woman, and he was present, wearing a wig and sunglasses, at a conference given by Economics Minister Carlos Solchaga two weeks before the election. At the end of the conference, he even asked Solchaga to autograph a book, which a few days later was made available to the press. The dedication read: "To José Maria, with affection."

Ruiz Mateos needed 250,000 votes to be elected. He received more than 700,000, which enabled his party, the JMRM, to send an additional delegate to represent Spain in the Parliament. Ruiz Mateos chose his son-in-law. On June 20, a judge granted Ruiz Mateos congressional immunity and dropped all personal charges against him. The fate of Rumasa remains legally tangled. The industrialist and his son-in-law were sworn in as parliamentary delegates on July 5, making the traditional statement: "I swear by God to respect the Constitution" and then adding "which was sworn to and violated by others when they expropriated Rumasa."

Julio Marquez is a student at the Harvard Business School.



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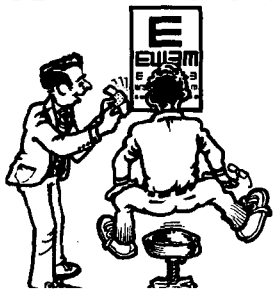

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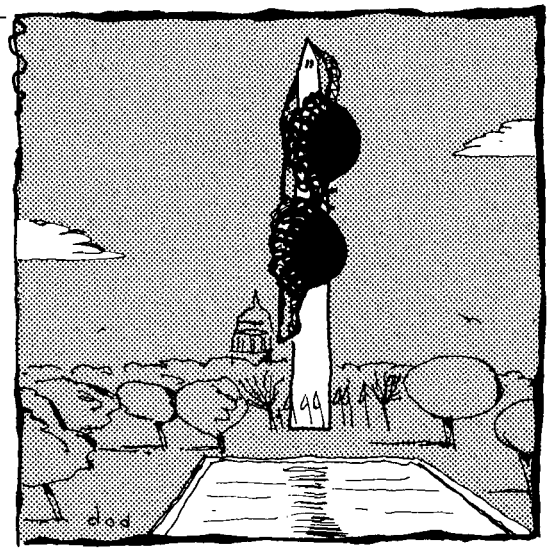
THE SEX OF POLITICS

BY DAVID BRUDNOY



Lately stories of sexual indiscretions have been fatal, or at least damaging, to the careers of American politicians. It was not always so. True, what was standard in the court of Louis XIV has not been so cavalierly accepted in the United States. Still, the private lives of past American leaders rarely had a decisive impact on their public effectiveness.

The 15th president of the United States, James Buchanan, who had neither wife nor children to inflict upon the adoring masses, suffered for years from innuendo. His best friend, Sen. Wm. Rufus De Vane King, was called "Miss Nancy" by Andrew Jackson and "Aunt Fancy" by others. The president knew that his own nickname, at least in some circles, was "*Mr.* Nancy."

One of Buchanan's better-esteemed predecessors, Thomas Jefferson, was thought by contemporaries to have made one of his slaves, Sally Hemmings, his mistress. Historians argue the subject to this day.

While her husband Franklin was sleeping with her social secretary, Eleanor Roosevelt was drawn intimately, maybe very intimately, to her lesbian friend Lorena Hickok, to whom she wrote on one occasion: "Hick darling....Oh I want to put my arms around you....I want to hold you close."

President Warren Gamaliel Harding hid his mistress in a White House cloakroom. One of John Kennedy's good buddies, *Washington Post* editor Ben Bradlee, says JFK frolicked in the White House pool with naked maidens. According to many biographers, JFK's mistresses included Judith Campbell, the moll of Mafia honcho Sam Giancana.

When Grover Cleveland was running for president, the Republicans were eager to make hay from Cleveland's admission that he had fathered a child out of wedlock. They taunted him: "Ma, ma, where's pa?" But when Cleveland won, his party, the Democrats, twitted the GOP: "Gone to the White House, ha, ha, ha!"

Now, aren't you glad you asked?

Maybe you didn't ask, but these and many other tales out of school from the world of politics inspired comment in their day and engage scholars and civilians alike today. We've learned that General Dwight Eisenhower wanted at one point to divorce Mamie and marry his driver. General George C. Marshall, his superior, was furious and sent Ike back onto the path of righteousness with a chiding letter. Ike went on to carry himself and Mamie into the presidency. Who knows if Eisenhower's wartime fling with the lovely driver, were it known then to public and press, would have kept him from the presidency as Gary Hart's hanky-panky derailed the playboy of the good ship *Monkey Business*.

As Cleveland's case shows, even wide public knowledge of infidelity didn't necessarily prove catastrophic to a political career 100 years ago. JFK's buddies and the press maintained a strict silence during his lifetime; even three decades ago not everything dicey about an American president turned into common gossip.

Today? Today the nation indulges in an orgy of moralistic pontification. Not only the "love that dared not speak its name," as homosexuality was once called (and which now can't shut up), but heterosexuality too, if not comfortably ensconced within marriage, surfaces to muddy the political waters, if that's possible.

In Massachusetts, the impotent Republicans devote themselves to rehashing the amours of Sen. Edward Kennedy—always good for a giggle, albeit useless in preventing Teddy from merrily returning to the Senate election after election with vote totals hovering around 59 percent—and to fulminating about the Bay State's two acknowledged homosexual congressmen, Gerry Studds and Barney Frank. The late summer scandal that filled many columns and dominated the talk shows, pushing almost everything else to the back pages, concerned Rep. Frank, who would have us believe that he let an excess of kindness expose him to betrayal.

As Oscar Wilde wisely said, no good deed ever goes unpunished. Frank answered a personal ad in a Washington, D.C., homosexual magazine, enjoyed the services of a young hustler, then befriended the fellow, sharing his apartment with him and hiring him as a personal aide. Frank later learned to his sorrow that his pal/employee was using the apartment for prostitution while the congressman was out of town.

Frank's efforts to rehabilitate his young amigo merely validated Wilde's dictum and turned his life into a topic about which nothing, no matter how vicious, wasn't said for weeks on end. One day after the incident surfaced in the *Washington Times*, bumper stickers appeared in South Boston: "Let's Be Frank About Aides." Frank quickly found himself obliged to insist that he doesn't and

BOB ECKSTEIN

didn't engage in sexual activity that might be conducive to transmitting AIDS. The pun proved irresistible to Frank's enemies, as did calls for his resignation.

An indiscretion committed when he was 30 years old and in his first term in Congress came back to haunt Congressman Gerry Studds 10 years later. Studds served drinks to a male congressional page and then went to bed with him; he later took him to Europe. This Platonic (in the correct use of that term) incident, now nearly two decades behind us, lives forever in Bay State political lore. The page, who was 16 years old at the time, is now middle-aged, but he is described as 15 or 14 or even as 13 by some callers to the talk programs. We've heard Frank's erstwhile friend, who is 32, described as a teenager. At this rate, Studds's former page will turn 3, and Frank's bad boy will enter kindergarten. Once craziness gets into the air, the sky's the limit.

Years ago, when the Ayatollah Khomeini turned up as *Time*'s Man of the Year although Pope John Paul II seemed to many a worthier candidate, many *Time* readers canceled their subscriptions, confusing "great" with "good" and assuming that to be the former one must also be the latter. So, for those of that mentality, Alexander couldn't be Great because he was bisexual, nor the Sistine Chapel ceiling a magnificent work of art given Michelangelo's sexuality, nor Whitman's poetry sublime for the same reason, nor the innumerable licentious kings and queens and presidents and prime ministers and spiritual leaders worthy of admiration owing to their energetic heterosexual promiscuity.

Whether America is better off today, with our ravenous journalists prowling the land in zealous search of sexual shenanigans among the pols, whether we're a happier nation when careers dissolve into nothingness as the bedroom becomes an appropriate subject for political discussion—whether this is *progress*—is up to each of us to decide. Perhaps this morbid dwelling on the sex lives of our leaders and would-be leaders serves the same function as bread and circuses always do for the masses, distracting us from serious things and from the supposed legitimate purposes for which we bring some people forward to leadership.

The politicians can't stop the drug wars or stifle the growing horrors of racism or reverse the trend toward ever-more-intrusive-yet-inefficient government, nor can they do anything worth doing about a world largely mired in primitivism, war, famine, disease, and ignorance. But they can drink too much and like women and therefore fail in their grasp at cabinet posts; or like men, if they are men, and find themselves forever ridiculed.

We've long since given up any real hope that politicians can do us much good, but they can entertain us by being human, by falling from perfection, and by keeping our minds off what matters and our thoughts stuck in the gutters of gossip. Soon, the 21st century. Can you wait?

Contributing Editor David Brudnoy is WBZ *Radio's late-night talk host and a film critic in Boston.*

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NOT THE HUXTABLES

BY ALAN PELL CRAWFORD

Another season has begun, and things have not gotten appreciably better for the Bundys. In one recent episode of Fox's "Married...with Children," Peg (Katey Sagal) wins personal training sessions from a hunky TV aerobics instructor. Before the two weeks are out, however, the trainer has become a Bundyesque slob himself, slouching on the sofa with Peg, eating bonbons and smoking cigarettes.

After the erstwhile hunk dies of a heart attack on his own show, Peg decides to put husband Al (Ed O'Neill) and the kids on a wheat-germ regimen. The family of course revolts, and—in the closest this show will probably ever come to sermonizing—Al explains to the kids why their usual diet is to their advantage. They've managed through the years to develop immunities to the toxic effects of junk food and so, like cockroaches, they can now eat anything. They are the ones who will survive, Al proclaims, and he's probably right.

They will survive, but hardly prevail. The notion of Bundys prevailing is, of course, risible. These people cannot seem to get anything right. Al hasn't gotten anything right since high school, when he was a football star. Ever since then, he's sold shoes and, from the looks of things, none too well. Most of the time he skulks about his shabbily decorated house, avoiding Peg's advances, and no wonder. Peg is probably not a bad-looking woman, once you've gotten beneath the hairpieces and the stretch pants, but she's also loud, lazy, obnoxious, and incompetent. There's always money for bonbons, but the fridge is invariably empty, so Al and their two teenage offspring don't get fed.

If they were your kids, you might not feed them either. Bud (David Faustino) is a dirty-minded little voyeur, not overly bright but bright enough to see that his older sister Kelly (Christina Applegate) is the school slut. This amuses rather than horrifies Bud, which is understandable under the circumstances: Kelly seems proud of the fact.

Peg and Al Bundy: They may be crude, but at least they don't preach.

The lives of this brood are a dispiriting series of minor calamities and reversals, from which they learn nothing whatever. That they manage to escape these disasters more or less intact is about the best that can be expected, anyway.

The Bundys as such constitute a refreshing refutation of some of sitcomland's most cherished notions. One of those is that life can be successfully managed, ordinarily within 30 minutes, counting commercial breaks. This myth holds that life presents certain problems—they're thought of as challenges on television—which, if approached thoughtfully, compassionately, and with a sense of humor, can be not only solved, but turned to good.

Dealing with these problems, which usually take the form of elaborate misunderstandings, brings families closer together and creates families where none exist. This, too, is an old TV standby. On "Cheers," for example, the family consists of a collection of improbably healthy borderline alcoholics and their lovable enablers whose cozy home is a corner bar.

That the Bundys are a true family makes their inability to address any of their problems except in the most inept, demeaning, and buffoonish manner all the richer, considering what goes on in so many other sitcoms. In short, these are not the happy Huxtables.

The show's writers, Ron Leavitt and Michael G. Moye, are veterans of "Happy Days" and "Laverne and Shirley" who set out to sabotage the clichés of more predictable programming. This is precisely what they have accomplished, and with surprising popular success. "Married...with Children" is hot these days, and controversial. What has provoked the most criticism is its coarseness and vulgarity, which are not imagined.

Within perhaps three minutes of this episode, for example, there were, in rapid succession, references to pimple squeezing, nose picking, bra stuffing, armpit sniffing, constipation, masturbation, and group sex. None of these jokes were especially clever, but they were about what one would expect from Bundys who are, after all, crude people for whom such references may well represent the very *ne plus ultra* of hilarity.

Apparently, a lot of sophisticated folks out there find such stuff wildly amusing, too, and crudity does have its uses. From Plautus to Benny Hill, the whoopie cushion and the many variations thereof have been making us laugh—and for a very good reason. They strip us of our pretensions, reminding us that, while we may aspire to soar with angels, there's a good bit of the ape in us yet.

Comedy has its uses, too, although this fact seems to have escaped the great majority of sitcom writers. There may be funnier shows than "Married...with Children," but few that are more purely comedic. Most of what passes for television comedy, after all, no more constitutes comedy than daytime drama constitutes tragedy.

All too often today's sitcoms—CBS's

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"Designing Women" is especially egregious in this respect—are so inordinately preachy that the laughs exist almost solely to support whatever moral the writers are trying to get across. In programs like these, the guffaws, fast and furious in the early going, build toward a moment of truth at which they abruptly cease. A speech is then delivered (Dixie Carter does the honors week after week on "Designing Women"), after which the stars, temporarily estranged, are best pals—or better yet, family—once again. And so the show closes, usually with a heart-warming chuckle, to send us on our way.

There are no such moments in "Married...with Children," in part because there are no such resolutions in the Bundys' lives, but also because comedy, being its own excuse, needs no such moments. Comedy does not require high moral preachments to make it worthwhile. Life affirming in and of itself, comedy is always superior to whatever nonce (liberal) enthusiasms sitcom writers may feel moved to foist upon the great (unwashed) viewing audience.

It's difficult to imagine which Bundy would deliver the sermon, even if the writers wanted one delivered. Daughter Kelly is a good bet, simply because she's completely inarticulate and forbiddingly stupid and the yuks-potential of any such utterance on her part would be immense.

What wisdom she might have to impart, on the other hand, remains a puzzlement. The Bundys, being utterly unable to help themselves, probably wouldn't have much of genuine value to tell the rest of us, which might well make them the second most realistic family on TV today.

The most lifelike—hands down—remains Homer Simpson's hapless brood, rendered with mordant ill humor by the gifted cartoonist Matt Groening for Fox's "Tracey Ullman Show." Come to think of it, the best matrimonial television since Lady Di and Prince Charles got hitched would be for Kelly Bundy to tie the knot with Homer's boy Bart. Now there's a wedding reception no one should miss.

Alan Pell Crawford has written for The Nation, Vogue, *and* National Review.

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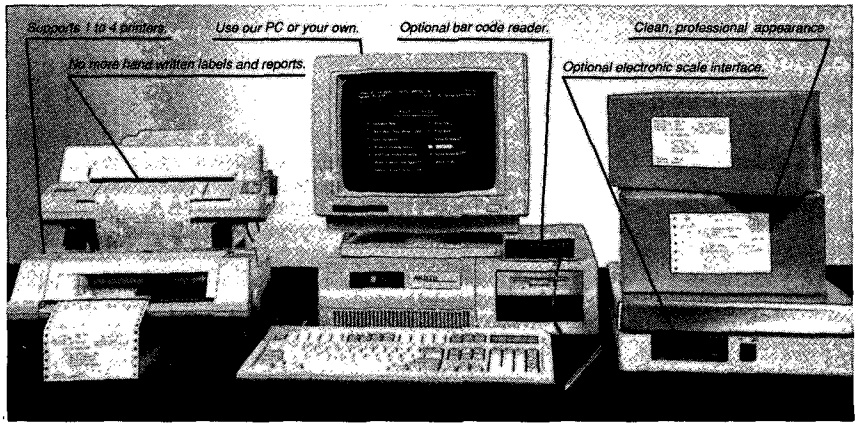
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BY THOMAS W. HAZLETT

When administration officials announced that President Bush was going to give his very first nationally televised White House speech on drugs, I was skeptical. But after reading the text, I believe they spoke the truth.

The Bush drug war has, itself, all the superb attributes of any good narcotic. It provides an early rush, at relatively low cost, but the habit builds up momentum. The addict falls into a pathetic dependency, unable to deal with reality.

Already, great compromises on the factual evidence have been made, and the crusade has splintered into the petty political stratagems of the two reigning political gangs. We must prepare for the institutionalization of political substance abuse. Look forward to congressional candidate seminars entitled "The Crack Cocaine Menace: Riding the Drug Crisis to Electoral Success."

The federal drug craze is almost perfectly crafted for political exploitation by the White House. First, it's a galvanizing national issue. Second, it's a great buy. The administration and Congress compromised at about $9 billion: peanuts inside the Beltway.

Third, it cuts across the spectrum. It's the sort of paramilitary endeavor Oliver North Fan Club-types dream about escalating into a real war, while it is virtually the sole ticket that gives middle-aged white guys like George Bush, William Bennett, and Jack Kemp unending photo ops with poor black "crack babies" from the ghetto. Hey, if that's not kinder and gentler, what is?

The Democratic reaction was so perfect as to provoke hints of Republican sabotage. No sooner had the president's trick with the cocaine-filled ziplock baggie faded from the screen than Senator Joseph Biden, himself admittedly well-versed in the evils of narcotic ingestion, and Congressman Dan Rostenkowski (yes, the House *Appropriations* chair) were giddy with the pronouncement that they were fully backing the president on this crusade—backing him, in fact, 128.2 percent (their price tag divided by his). They argued that the real solution to drugs was... *a tax increase*. (This indicated that the cruel problem of addiction is every bit as serious as the president had been making it out to be.)

The fact that the administration sets very modest 10-year goals, which would appear to obtain if current reductions in drug usage simply continue, indicates that the Drug War has little medicinal value and is proposed merely as a kick-off to "Bush in '92." And who can blame the president for wanting to campaign on drugs? Every administration fumbles around for a war, and this is the best the Republicans can find right now. But we need some front where bullets fly and the Commander leads A Great Nation.

Look at history. Franklin Roosevelt's New Deal fat was frying until WWII pulled it out and baked him up a wonderful, heroic victory. The reversal was a huge break for the opportunistic administration, which was wallowing in double-digit unemployment figures as far as the eye could see. But it was a lovely, patriotic war for Americanos, produced a photo opportunity heaven for the administration. FDR ended up in the Presidential Hall of Fame.

Take Lyndon Johnson. One war wasn't enough for his gluttonous political libido. The escalation of the Vietnam effort was joined by the War on Poverty. Twenty-five years thence, it is difficult to judge the greater defeat. But, despite its high government homicide rate of recent years, at least Vietnam is getting *off* the government dole these days.

Not wanting to hurt anybody, Jimmy Carter was proud to lead his troops into the "moral *equivalent* of war." Long on national unity and presidential directives, short on bullets and blood. The energy conservation crusade was a terribly costly battle but a lot of fun to watch.

Remember the odd-even gas lines? The initiative to get children to report their parents' excessive heating fuel usage to federal authorities? The billion-dollar solar and shale oil subsidies? Yeah, it was a war—sort of the federal public policy version of F-Troop.

And so the vacuum called Bush needs *something*. This drug war will be a real shot in the arm, they say.

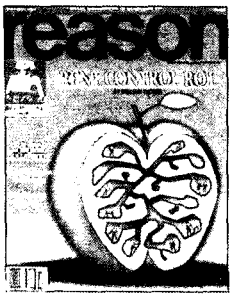
It will not "cure" drugs, nor will it make America a better place to live and work. As Milton Friedman and William Buckley are now saying with force and eloquence, the demand for narcotics will drive the market; substitutes for Colombian agricultural commodities are to be found in every corner of the world, and will make it to every corner in your town. *Unless*—unless we are serious about the total, as in totalitarian, commitment a true drug eradication program would entail.

My guess is that if Americans were too libertine to roll over to the Volstead Act enforcers in the 1920s and '30s, we will not be tickled by roadside urinalysis, trebled prison budgets, and police strip searches without cause in the '90s. Moreover, the Big Boys know all that. Which is why the President is asking for token reforms and pledging token progress.

Still, the politics are just too euphoric not to toke up. Ailes to Sununu: "The press releases will really kill you, man. Hey, look at this sound bite. Wow. Good &%$#, dude."

Oh, go on. Just wait till *you're* president. Then let's see if you can just say no.

Contributing Editor Thomas W. Hazlett teaches economics and public policy at the University of California, Davis.



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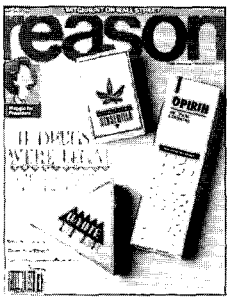

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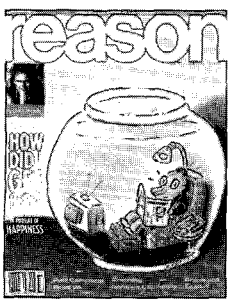

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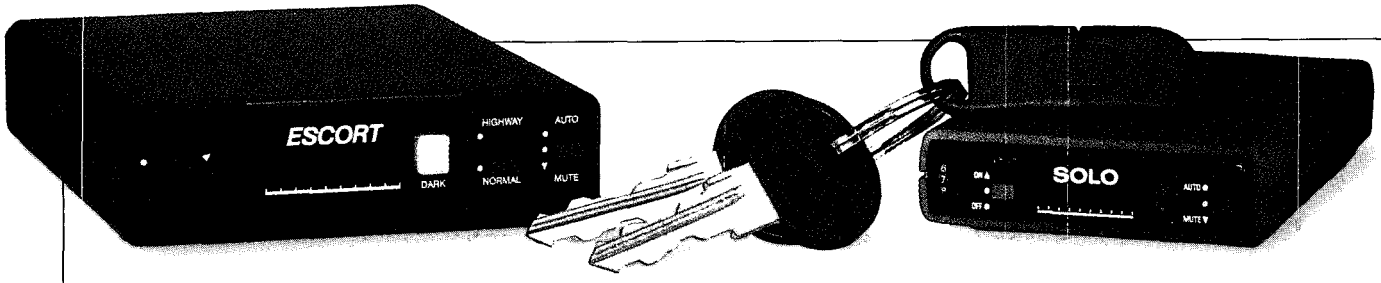


Introducing new ESCORT and self-powered SOLO

The new ESCORT: Incredible performance

■

At Cincinnati Microwave, we've continuously advanced the science of radar warning since we introduced the original ESCORT in 1978.

But we've never stopped striving for another quantum leap. And now we've found it: DSP.

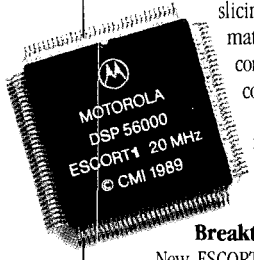
Incredible technology

DSP is Digital Signal Processing, a technology virtually unheard of in personal electronics, but used in many exotic electronic devices.

DSP is used by NASA to create detailed space photos from blurry images. It's used to deliver sharp images from medical scanners. And now we're using DSP to find radar signals too weak to be detected by conventional technology.

How it works

The new ESCORT's DSP circuitry samples incoming radar signals 50,000 times a second, slicing them into discrete bits of information. This data is then digitized and continuously analyzed by an internal computer. The end result is incredible.



The heart of ESCORT's DSP circuitry is this 20 MHz 24 bit HCMOS processor, a custom version of the Motorola DSP 56000.

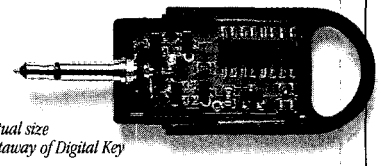
Breakthrough performance

New ESCORT provides an incredible increase in sensitivity on both bands. Quite simply, this means that the new ESCORT picks up radar signals much further away than ever before possible. All this in an incredibly compact package, only ⅞" high and 3¼" wide. The science of radar warning will never be the same.

Bad news for thieves:

A new security system in new ESCORT and SOLO makes them of little use to anyone but the rightful owner. Here's how it works:

The system is fully automatic, and easy to use. Included with your new radar detector is a tiny electronic "Digital Key"™ to put on your key ring (see the main photo above and the cutaway below).



Actual size cutaway of Digital Key

About every two months, your radar detector's circuitry will prompt you to insert your Digital Key into a small jack on your detector, and turn your detector on. After confirming that you used the right Digital Key, your radar detector will reset its lock and will be ready for two more months of use. That's all there is to it.

However, for someone who doesn't have the right key (and there are thousands of different Digital Keys), the radar detector simply won't work. And needless to say, there's little economic incentive for a thief to steal your radar detector if he can't sell it. And if a stolen ESCORT or SOLO is ever returned to our factory for service, we'll immediately contact you (if you have reported the theft to us).

Although nothing is totally "theft-proof," our new Digital Key security system will help keep your new ESCORT or SOLO yours.

SOLO: A new kind of radar detector — No power cord

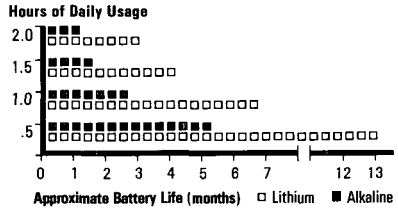
■

If you're a business traveler, always switching between cars and using rentals in distant cities, you need the most convenient radar detector possible. But radar detectors have always been less than ideal for traveling. Until now.

Revolutionary convenience

After two years of development, we're introducing SOLO, the first self-powered superheterodyne radar detector. You just mount it on your visor or windshield and turn it on. It's that simple.

SOLO doesn't need a power cord, recharger, or add-on battery pack. Its remarkable design uses only 2% of the power of a conventional radar detector. As a result, SOLO operates about 200 hours on a single 9 Volt lithium battery (or 80 hours on a standard alkaline).



Uncompromised performance

SOLO has the same long-range warning as our test-winning PASSPORT, in an even smaller package (about ¾"H x 2⅛"W, weighing only 5½ ounces). And unlike most battery-powered devices, SOLO maintains full performance over its full battery life.

New self-powered SOLO may be the first radar detector that's never too much trouble to use.

The right stuff

New ESCORT and SOLO have all of the advanced features we pioneered with ESCORT and PASSPORT. Variable rate audio, with different tones for X and K bands. Alert lamp, ten-segment meter, Dark mode, and a Mute switch with a new Auto-Mute function. A battery-saver even turns SOLO off if you forget.

Everything included

Both new ESCORT and SOLO come complete with leather case, visor clip, windshield mount, and comprehensive owner's manual. ESCORT includes power cords (straight, coiled, and direct wire), while SOLO includes both lithium and alkaline 9 volt batteries and a travel case.

Factory Direct

We only sell direct from our factory to you, and we guarantee your satisfaction. If you're not completely satisfied in 30 days, just return your purchase for a full refund. You can't lose.

The most advanced radar detectors in the world are only a toll-free call away. Call today.

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